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Tractatus Navigationis
ET
COMMERCIORUM
INTER

Serenissimam ac Potentissimam Principem ANNAM, *Dei Gratiâ*, Magnæ Britanniæ, Franciæ, & Hiberniæ, *Reginam, Fidei Defensorem*, &c. & *Serenissimum ac Potentissimum Principem* PHILIPPUM V. *Dei Gratiâ*, Hispaniarum *Regem Catholicum*, *Conclusus* Trajecti *ad* Rhenum *die* 28 Novembris / 9 Decembris *Anno* 1713.

Treaty of Navigation
AND
COMMERCE
BETWEEN

The most Serene and most Potent Princess *ANNE*, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* and the most Serene and most Potent Prince *PHILIP* the Vth, the Catholick King of *Spain*, Concluded at *Utrecht* the 28/9 Day of November/December 1713.

By Her Majesties Special Command.



LONDON,

Printed by *John Baskett*, Printer to the Queens most Excellent Majesty, And by the Assigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd. 1714.

ANNA, Dei Gratiâ, *Magnæ Britanniæ*, *Franciæ*, & *Hiberniæ* Regina, Fidei Defenſor, *&c.* Omnibus & ſingulis ad quos Præſentes Literæ pervenerint, Salutem. Cum Reverendus admodum in Chriſto Pater, perquam Fidelis & delectus Conſiliarius Noſter, *Johannes* Epiſcopus *Briſtolienſis*, Legatus Noſter Extraordinarius & Plenipotentiarius, Decanus *Windeſorienſis*, & Nobiliſſimi Ordinis Noſtri Periſcelidis Regiſtrarius, ex parte Noſtrâ, unà cum Plenipotentiariis Suæ Majeſtatis Catholicæ, Viceſimo octavo/Nono die Menſis Novembris/Decembris Anno Milleſimo ſeptingenteſimo decimo tertio, *Ultrajecti* ad *Rhenum*, Tractatum Commercii inter Subditos *Magnæ Britanniæ* & *Hiſpaniæ* concluſerit & ſignaverit, prout ſequitur :

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all and ſingular to whom theſe Preſents ſhall come, Greeting. Whereas the Right Reverend Father in God, Our Right Truſty and Welbeloved Counſellor, *John* Biſhop of *Briſtol*, Our Ambaſſador Extraordinary and Plenipotentiary, Dean of *Windſor*, and Regiſter of Our moſt Noble Order of the Garter, did on Our Part, together with the Plenipotentiaries of His Catholick Majeſty, Conclude and Sign at *Utrecht*, on the 28/9 Day of November/December 1713. a Treaty of Commerce between the Subjects of *Great Britain* and *Spain*, as follows :

S*Tabilitâ feliciter, Deo O. M. clementer Annuente, Pace bonâ, firmâ, verâque, & ſincerâ Amicitiâ, inter Sereniſſimam ac Potentiſſimam Principem & Dominam,* Annam, *Dei Gratiâ*, Magnæ Britanniæ, Franciæ, & Hiberniæ *Reginam*, &c. & *Sereniſſimum ac Potentiſſimum Principem & Dominum*, Philippum V. *Dei Gratiâ*,

A *Good and firm Peace, and a true and ſincere Friendſhip having, by the merciful Aſſiſtance of God, been happily Eſtabliſhed between the moſt Serene and Potent Prince and Lady*, Anne, *by the Grace of God*, *Queen of* Great Britain, France, *and* Ireland, &c. *and the moſt Serene and Potent Prince and Lord*, Philip *the*

Hispaniarum *Regem Catholicum*, &c. *Eorumque Hæredes ac Successores, Regna, & Subditos, per Pacificationis Tractatum,* Trajecti ad Rhenum *die* Secundo/Decimo tertio *Mensis* Julii, *novissimè præteriti, conclusum, in eam præprimis Curam iverunt Regiæ suæ Majestates, ut mutuis Subditorum suorum in re Commerciorum Utilitatibus omni meliori modo prospiceretur; & propterea Legatis suis Extraordinariis & Plenipotentiariis, quorum Opera in Pace pangendâ prosperè successit, in Mandatis clementissimè dederunt, ut quæ in Finem hunc Salutarem, post perpensa rerum omnium Momenta in Colloquiis eâ de re* Madriti *habitis, maximè convenire perspectum fuerat, in Tractatûs Commerciorum solemnis formam redigerent; Dicti igitur Legati, vigore Plenipotentiarum, quarum Apographa sub Finem hujus Instrumenti verbo tenus inserta erunt, super Commerciorum Articulis, ad Elucidationem Tractatuum anteriorum, & procurandam uberiorem in Commerciorum negotiis expediendis Facilitatem, modo & formâ convenerunt, prout sequitur:*

Fifth, by the Grace of God, Catholick King of Spain, *&c. and their Heirs and Successors, Kingdoms, and Subjects, by a Treaty of Pacification concluded at* Utrecht *the* Second/Thirteenth *Day of the Month of* July *last past, their Majesties before all things made it their Care, that the mutual Advantage of their Subjects in matters of Trade might be provided for after the best manner; and therefore they most Graciously gave Instructions to their Ambassadors Extraordinary and Plenipotentiaries, (by whose means the Peace had been happily concluded) to draw up into a Solemn Treaty of Commerce, whatsoever, after all things had been throughly considered at the Conferences held for that purpose at* Madrid, *should seem to conduce most to this good End; The said Ambassadors therefore, by virtue of their full Powers, (Copies whereof are inserted word for word at the End of this Instrument) agreed upon Articles of Commerce for the Explanation of former Treaties, and greater Ease and Convenience of Trade, in the Manner and Form following:*

I.

TRactatus Pacis, Commerciorum, & Confœderationis, inter Coronas *Magnæ Britanniæ* & *Hispaniæ*, *Madriti* die Decimo tertio/Vigesimo tertio Mensis *Maii*, Anno Domini 1667, conclusus, per hunc Tractatum ratihabetur & confirmatur, eundémque, unà cum Schedulis Regiis, sive Ordinationibus eidem annexis, ad majus Robur & Tutamen, de verbo ad verbum hic loci inserere placuit, prout sequitur:

I.

THE Treaty of Peace, Commerce, and Alliance, concluded at *Madrid* between the Crowns of *Great Britain* and *Spain* the 13/23 Day of *May*, 1667. is Ratified and Confirmed by this Treaty, and for the greater Strengthening and Confirmation of the same, it has been thought proper to insert it word for word in this place, together with the Royal Schedules or Ordinations annexed to it, as follows:

Tractatus Pacis & Amicitiæ inter Coronas Magnæ Britanniæ & Hispaniæ, *Conclusus* Madriti $\frac{13}{23}$ *die* Maii, *Anno Domini*, 1667,

The Treaty of Peace and Friendship between the Crowns of Great Britain *and* Spain, *Concluded at* Madrid *the* $\frac{13}{23}$ *Day of* May, *in the Year of our Lord*, 1667,

INitus & Conclusus per Excellentissimum Dominum D. *Edwardum* Comitem de *Sandwich*, Serenissimo ac Potentissimo *Magnæ Britanniæ* Regi à Secretioribus Consiliis, & Legatum ejus Extraordinarium in *Hispaniam*, Nomine dicti Serenissimi Regis Domini sui; Et per Excellentissimos Dominos, D. *Johannem Eberardum Nidardum*, Serenissimæ Reginæ Catholicæ Confessarium, Inquisitorem Generalem, & Consiliarium Status, D. *Ramirum Phelipez Nunez* de *Gusman*, Ducem de *San Lucar la Mayor*, & de *Medina de las Torres*, Consiliarium Status, & Præsidem *Italiæ*, & D. *Gasparem* de *Bracamonte* & *Gusman*, Comitem *Penarandæ*, Consiliarium Status, & Præsidem *Indiarum*, Nomine Serenissimorum ac Potentissimorum Regis ac Reginæ *Hispaniarum*, Dominorum suorum, *Madriti* $\frac{13}{23}$ die Mensis *Maii*, Anno 1667.

ENtred into and Concluded by the most Excellent Lord *Edward* Earl of *Sandwich*, Privy-Counsellor to the most Serene and Potent King of *Great Britain*, and his Ambassador Extraordinary to *Spain*, in the Name of the most Serene King his Master; And the most Excellent Lords, Don *John Eberardo Nidardo*, Confessor to the most Serene Catholick Queen, Inquisitor General and Counsellor of State, Don *Ramiro Phelipez Nunez de Guzman*, Duke of *San Lucar Mayor*, and of *Medina de las Torres*, Counsellor of State, and President of *Italy*, and Don *Gaspar* of *Bracamonte* and *Gusman*, Count of *Penaranda*, Counsellor of State, and President of the *Indies*, in the Name of the most Serene and Potent King and Queen of *Spain*, at *Madrid* the $\frac{13}{23}$ Day of *May*, 1667.

QUandoquidem post Excessum Serenissimi ac Potentissimi *Philippi* Quarti *Hispaniarum* Regis, gloriosæ Memoriæ, Serenissimus ac Potentissimus Rex Catholicus *Carolus* Secundus, ejus Filius, in Regna, Status, & Dominia Monarchiæ Paternæ Deo O. M. ita disponente, successit; Serenissimáque Regina Catholica, Domina *Maria Anna Austriaca* in Tutricem & Curatricem ad eorundem Gubernationem & Regimen, durantibus Regis minoribus Annis, vocata est; exoptatissimum, utrinque mutuóque studio ac desiderio permotis, Se-

WHereas after the Decease of the most Serene and Potent King of *Spain*, *Philip* the Fourth, of Glorious Memory, it pleased God that the most Serene and Potent Catholick King *Charles* the Second, his Son, suceeeded to the Kingdoms, States, and Dominions of his Fathers Monarchy; and the most Serene Catholick Queen the Lady *Anna Maria* of *Austria* was called to the Government of the same, as Tutress and Curatrix during the Minority of the King; It was thought most desireable by the most Serene and Potent *Charles* the

renissimo

reniſſimo ac Potentiſſimo *Carolo* Secundo, *Magnæ Britanniæ* Regi, & Sereniſſimis ac Potentiſſimis Regi ac Reginæ Catholicis, viſum eſt bonam illam Correſpondentiam & Amicitiam reciprocam Coronas inter, hinc *Magnæ Britanniæ*, illinc *Hiſpaniarum*, ab antiquiſſimis temporibus vigentem, uſque dum rerum viciſſitudines Concordiam & neceſſitudinem, quæ alteri genti cum alterâ interceſſerunt, labefactarunt, renovare tandem, & novis acceſſionibus confirmare, tam quod mutua Commerciorum frequentia ac commoda, quam utriuſque Gentis Ingenia, ſingularem quandam Animorum ac Conſilii unionem poſtulare videantur; eumque in finem dictus Sereniſſimus Rex *Magnæ Britanniæ* virum Excellentiſſimum *Edwardum* Comitem de *Sandwich*, Vice-Comitem de *Hinchingbrooke*, Baronem *Montacutium* de Sancto *Neote*, *Angliæ* Vice-Admirallum, Magnæ Guarderobæ Regiæ Magiſtrum, Conſiliarium Statûs, & Nobiliſſimi, Celeberimique Ordinis Periſcelidis Equitem, Legatum ſuum Extraordinarium ad Catholicas Majeſtates miſit, ut non tantum priſtina inter dictas Coronas neceſſitudinis Vincula, iniquitate temporum diſſoluta, redintegraret denuò, ſed & arctiori nexu conſtringeret, & nova adhuc ſtabilioris Amicitiæ Fundamenta per mutui Fœderis Tabulas poneret, ad ſeros uſque Poſteros duratura, dictumque Legatum pleniſſimâ Facultate munivit, cujus Copia infra inſeretur. Eâ autem animorum propenſione Negotiatio dicti Legati Extraordinarii in Aulâ Catholicâ excepta eſt, ut Sereniſſimæ Reginæ Tutrici & Gubernatrici Regis viſum fuerit ad Tractatum cum ipſo ineundum & concludendum nominare Excellentiſſimos Viros Dominum *Johannem Eberardum Nidar-*

Second, King of *Great Britain*, and the moſt Serene and Potent Catholick King and Queen, who were moved with a mutual Deſire and Inclination thereto, to Renew, at length, and Confirm by new Additions, that good Correſpondence and reciprocal Friendſhip which had flouriſhed from the moſt ancient Times between the Crowns of *Great Britain* and *Spain*, till the Viciſſitude of human Affairs deſtroyed that Amity and Alliance which each Nation had with the other, as well becauſe the mutual Advantages and Frequency of Trade, as the Tempers of each Nation, ſeemed to require a certain particular Union of Minds and Counſels; And for that End the ſaid moſt Serene King of *Great Britain* ſent the moſt Excellent Lord *Edward* Earl of *Sandwich*, Viſcount *Hinchingbrooke*, Baron *Montacute* of St. *Neote*, Vice-Admiral of *England*, Maſter of the Great Wardrobe of the King, Privy-Counſellor, and Knight of the moſt Noble and Celebrated Order of the Garter, his Ambaſſador Extraordinary to their Catholick Majeſties, that he might not only renew the ancient Bonds of Friendſhip between the Two Crowns, which were broke through the Iniquity of the times, but unite them yet more cloſely, and by a Treaty of mutual Alliance lay new Foundations of a more firm Friendſhip, to continue to the lateſt Poſterity, and did provide the ſaid Ambaſſador with moſt Ample Full Powers, a Copy whereof ſhall be inſerted hereafter. But with that Kindneſs was the Negociation of the ſaid Ambaſſador Extraordinary received at the Court of *Spain*, that the moſt Serene Queen, Guardian, and Governeſs, was pleaſed to appoint the moſt Excellent Don *John Eberardo Nidardo*, Con-

dum,

dum, Confeſſarium Sereniſſimæ Reginæ Catholicæ, Inquiſitorem Generalem, & Conſiliarium Status, Dominum *Ramirum Phelipez Nunez de Guſman*, Ducem de *San Lucar la Mayor*, & de *Medina de las Torrez*, Conſiliarium Status, & Præſidem *Italiæ*, & Dominum *Gaſparem* de *Bracamonte* & *Guſman*, Comitem *Penarandæ*, Conſiliarium Status, & Præſidem *Indiarum*; quibus conceſſa eſt Facultas, & Commiſſio, cujus Tenor inferiùs ſequetur.

Sequitur Tenor Commiſſionis ſeu Plenæ Poteſtatis ex parte Sereniſſimi Regis Magnæ Britanniæ, *&c.*

CAROLUS Secundus, Dei Gratiâ, *Magnæ Britanniæ*, *Franciæ*, & *Hiberniæ* Rex, Fidei Defenſor, *&c.* Omnibus & Singulis haſce Literas inſpecturis, Salutem. Quandoquidem hujus Seculi Infælicitas in eo potiſſimùm ſita eſſe videatur, quod plerique Principes & Status ſuis Affectibus, vel Utilitatibus ità indulgeant, adhæreantq; ut omnia Amicitiæ & Vicinitatis Jura proculcari, imò ipſam Rerum Univerſitatem convelli malint, quàm tantillum à ſuis Opinionibus & propoſitis, utcunque levitèr aut iniquè ſuſceptis, diſcedere; eò magis pauci illi Reges, quorum Potentiæ nativum quendam Æqui ac Boni amorem conſociavit Deus, ſummâ ope, operâq; conniti debent, ut tam ſacroſanctæ Neceſſitudinis Fœdera inter ſe conſtituere & conſervare, tam perverſas renitentium Voluntates ad Saniora Concordiæ Studia revocare & inflectere valeant; animadverſo autem *Anglorum* atque *Hiſpanorum* Ingenia ita ſempèr comparata fuiſſe, ut ægrè à ſe invicem alienari, facilè in Gratiam redire conſueverint, &

feſſor of the moſt Serene Queen, Inquiſitor General and Counſellor of State, Don *Ramiro Phelipez Nunez de Guſman*, Duke of *San Lucar Mayor*, and of *Medina de las Torres*, Counſellor of State, and Preſident of *Italy*, and Don *Gaſpar* of *Bracamonte* and *Guſman*, Count of *Penaranda*, Counſellor of State, and Preſident of the *Indies*, to enter into and conclude a Treaty with him, and granted them a Commiſſion and Full Powers, the Tenor whereof ſhall follow hereafter.

The Tenor of the Commiſſion or Full Powers on the Part of the moſt Serene King of Great Britain, *&c.*

CHARLES the Second, by the Grace of God, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith, *&c.* To all to whom theſe Preſents ſhall come, Greeting. Whereas the Unhappineſs of this Age ſeems chiefly to conſiſt in this, that moſt Princes and States ſo indulge and adhere to their own Affections and Advantages, that they had rather have all the Ties of Friendſhip and Neighbourhood trode down, and even the Univerſe torn in Pieces, than recede ever ſo little from their own Opinions and Deſigns, however lightly or unjuſtly taken up; for that reaſon thoſe few Kings, to whoſe Power God has joyned a certain inborn Love of Equity and Juſtice, ought to uſe their utmoſt Endeavours, as well to make and preſerve Agreements of a holy Friendſhip between themſelves, as to recal and bend the ſtubborn Wills of thoſe who are averſe to it, to the more wholeſom Thoughts of Peace; And it having been obſerved that the *Engliſh* and *Spaniards* were al-

Regna

Regna utrinque Ipsorum tum maximè floruisse, cum regnantes, Naturæ suæ Ductum secuti, Pacem mutuò stabilitam sanctissimè colerent; perspecto insupèr & certissimis Indiciis explorato, Serenissimam Reginam Dominam *Mariam Annam Austriacam*, Serenissimi ac Potentissimi *Hispaniarum*, &c. Regis Parentem, Tutricem, & Curatricem, atque Regnorum Ejus ac Ditionum Gubernatricem, eâdem Nobiscum propensitate in ejusmodi Consilia jam ferri, ut non solum pristina inter Coronas Nostras Fœdera renoventur, sed arctioribus adhuc Vinculis, & firmiori quam unquam antehac nexu constringantur: Nihil Nobis ad tam pium opus perficiendum defuisse videbatur, quam ut dignum aliquem Virum, & tanto Negotio parem eligeremus, qui Legati Nostri Extraordinarii munus apud dictam Serenissimam Reginam, *Hispaniæ* Regentem, obiret, & Characterem suum virtutibus exornaret; qualem præ aliis fore judicavimus prædilectum & perquam Fidelem Consanguineum Nostrum *Edwardum* Comitem de *Sandwich*, & Vice-Comitem de *Hinchingbrooke*, Baronem *Montacutium* de Sancto *Neote*, *Angliæ* Vice-Admirallum, *Magnæ Garderobæ* Nostræ Magistrum, Nobis à Secretioribus Consiliis, & antiquissimi, celeberrimique Ordinis Periscelidis Equitem. Sciatis igitur, quod Nos, Fide, Industriâ, Judicio, ac Prudentiâ, dicti Comitis de *Sandwich*, Legati Nostri Extraordinarii, plurimum confisi, Ipsum verum & indubitatum Commissarium ac Procuratorem Nostrum fecimus, ordinavimus & deputavimus, ac per præsentes facimus, ordinamus, & deputamus, dantes eidem & committentes plenam & omnimodam Potestatem, atque Authoritatem, paritèr & Mandatum Generale ac Speciale,

ways so disposed, that their Affections could not without Difficulty be alienated from one another, and were easily reconciled, and that each Kingdom flourished most when those that Reigned, following their natural Temper, observed most strictly the Peace established between them; and it having been perceived and found from certain Proofs, that the most Serene Queen the Lady *Anna Maria* of *Austria*, Mother, Guardian, and Curatrix of the most Serene and Potent King of *Spain*, &c. and Governess of his Kingdoms and Dominions, is enclined with the same Readiness, as we are, to pursue such Counsels, whereby the ancient Alliances between our Crowns may not only be renewed, but be made yet closer and stronger than ever before: Nothing seemed to Us to be wanting to the Performance of so pious a Work, but the Choice of some worthy Man, and one equal to so great an Undertaking, who might perform the Function of Our Ambassador Extraordinary to the said most Serene Queen Regent of *Spain*, and adorn his Character with personal Virtues: Such above all others We thought Our Right Trusty and Right Welbeloved Cousin, *Edward* Earl of *Sandwich* and Viscount of *Hinchingbrooke*, Baron *Montacute* of St. *Neote*, Vice-Admiral of *England*, Master of Our Great Wardrobe, and one of Our Privy-Council, and Knight of the most Ancient and Noble Order of the Garter. Know ye therefore, That We having great Confidence in the Fidelity, Industry, Judgment, and Prudence of the said Earl of *Sandwich*, Our Ambassador Extraordinary, have Made, Constituted and Appointed, as We do by these Presents Make, Constitute and Appoint

Nomine

Nomine noſtro, cum Præfatâ Sereniſſimâ Reginâ *Hiſpaniæ* Regente, Ipſiuſque Commiſſariis, Deputatis, ac Procuratoribus, ad hoc ſufficientem Poteſtatem habentibus, de & ſuper arctiori Confœderationi inter Coronas ac Regna *Magnæ Britanniæ* & *Hiſpaniæ*, nec non de & ſuper Commercii & Navigationis Libertate vindicandâ; denique de & ſuper Fœdere Defenſivo & Offenſivo inter dictas Coronas & Regna, utiliſſimis & maximè convenientibus Articulis & Conditionibus Stabiliendo, communicandi, tractandi, conveniendi & concludendi, cæteraque omnia faciendi, quæ ad prædictos Fines faciant, & conducant, atque ſuper iis Articulos, Literas, & Inſtrumenta neceſſaria conficiendi, & ab alterâ parte petendi, & recipiendi; denique omnia ea quæ ad præmiſſa, vel circa eadem erunt neceſſaria, & opportuna, expediendi; Promittentes bonâ Fide, & in Verbo Regio, Nos omnia & ſingula quæ inter dictam Sereniſſimam Reginam *Hiſpaniæ* Regentem, ejuſque Procuratores, Deputatos, aut Commiſſarios, atque prænominatum Legatum Noſtrum Extraordinarium in Præmiſſis, ſeu Præmiſſorum aliquo erunt facta, pacta, & concluſa, rata, grata, & firma habituros, nec unquam contra Ipſorum aliquid aut aliqua contraventuros, quin potiùs quicquid Nomine noſtro promiſſum fuerit, Sanctè & inviolabilitèr obſervaturos, & obſervari curaturos. In cujus Rei Teſtimonium haſce Literas fieri, Manuque noſtrâ Signatas, Magno *Angliæ* Sigillo communiri fecimus. Quæ Dabantur apud Palatium Noſtrum *Weſtmonaſterii*, ſexto decimo Die Menſis *Februarii*, Anno Domini Milleſimo ſexcenteſimo ſexageſimo quinto, & Regni Noſtri decimo octavo.

Carolus R.

him Our true and undoubted Commiſſary and Procurator, Giving and Granting to him full and all manner of Power and Authority, and likewiſe Our General and Special Command, to Eſtabliſh, Confer, Treat, Agree upon, and Conclude in Our Name a cloſer Alliance between the Crowns and Kingdoms of *Great Britain* and *Spain*, a Settlement of the Liberty of Commerce and Navigation; and laſtly, a Defenſive and Offenſive Alliance between the ſaid Crowns and Kingdoms, upon the moſt advantagious and convenient Terms and Conditions, with the aforeſaid moſt Serene Queen Regent of *Spain*, and her Commiſſaries, Deputies, or Procurators, provided with ſufficient Authority for that purpoſe; and to do all other things which conduce to the aforeſaid Ends; and to draw up the Articles, Letters, and Inſtruments that ſhall be neceſſary on this Occaſion, and to require and receive the ſame from the other ſide; and laſtly, to diſpatch every thing which ſhall be neceſſary or convenient to or concerning the Premiſſes, Promiſing in good Faith, and on Our Royal Word, that We will Ratifie, Approve and Confirm whatſoever ſhall be done, agreed on, and concluded, between the ſaid moſt Serene Queen Regent of *Spain*, and her Procurators, Deputies, or Commiſſaries, and Our aforenamed Ambaſſador Extraordinary, concerning all or any of the Premiſſes, that We will never violate any one or more of them, but will rather obſerve and cauſe to be obſerved Holily and Inviolably whatſoever ſhall be Promiſed in Our Name. In Witneſs whereof, We have cauſed theſe Preſents to be made, and having Signed them with Our Hand, have ordered the Great Seal of *England* to be affixed

thereto. Given at Our Palace at *Westminster* the 16th Day of *February*, in the Year of Our Lord, 1665. and of Our Reign the Eighteenth.

Charles R.

Sequitur Tenor Commissionis seu Plenæ Potestatis ex parte Majestatis Suæ Catholicæ, &c.

DON *Carlos*, por la Gratia de Dios, Rey de *Castilla*, de *Leon*, de *Aragon*, de *Ambas Sicilias*, de *Jerusalem*, de *Portugal*, de *Navarra*, de *Granada*, de *Toledo*, de *Valencia*, de *Galicia*, de *Mallorca*, de *Sevilla*, de *Cerdeña*, de *Cordova*, de *Corcega*, de *Murcia*, de *Jaen*, de los *Algarves*, de *Algecira*, de *Gibraltar*, de las Islas de *Canaria*, de las *Indias* Orientales, y Occidentales, Islas *y Tierra firme* del *Mar Orceano*, Archiduque de *Austria*, Duque de *Borgoña*, de *Brabante*, de *Milan*, Conde de *Apsburg*, de *Flandes*, *Tirol*, *y Barcelona*, Señor de *Viscaya y de Molina*, &c. Y la Reyna Doña *Maria Anna de Austria*, su Madre, Tutora, y Curadora de su Real Persona, y Governadora de dichos Reynos y Señorios. Por quanto para assentar las Cosas convenientes à la Causa Commun de las Serenissimas dos Coronas de *España*, y la *Gran Bretaña*, que por algunos accidentes del Tiempo se hallare prevertidas de la Observancia, y Capitulationes assentadas en los antigues Tratados de Pazes, entre las dichas Coronas hè tenido por bien de dar Poder (como en virtud de la presente le doy) à *Juan Eberardo Nidardo*, mi Confesor, del Consexo de Estado, y Inquisidor General; Don *Ramiro Phelipez*, *Nunez de Gusman*, Duque de *San Lucar*

Here follows the Tenor of the Commission or full Powers on the Part of His Catholick Majesty.

DON *Charles*, by the Grace of God, King of *Castille*, *Leon*, *Arragon*, both *Sicilies*, *Jerusalem*, *Portugal*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Seville*, *Sardinia*, *Corduba*, *Corsica*, *Murcia*, *Jaen*, the *Algarves*, *Algecira*, *Gibraltar*, the *Canary* Islands, the *East* and *West Indies*, the Islands and Continent of the Ocean, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Count of *Apsburg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biscay* and *Molina*, &c. and the Queen Donna *Anna Maria* of *Austria*, his Mother, Tutress and Curatrix of his Royal Person, and Governess of the said Kingdoms and Dominions. Forasmuch as in order to settle the Things conducing to the common Welfare of the most Serene Crowns of *Spain* and *Great Britain*, (the Observation of which through some Accidents of Time hath been prevented) and the Capitulations established in the ancient Treaties of Peace between the Two Crowns, I have thought fit to give Power, as I do by Virtue of these Presents give Power to *John Eberardo Nidardo* my Confessor, Counsellor of State, and Inquisitor-General, Don *Ramiro Phelipez*, *Nunez de Gusman*, Duke of *San Lucar la Mayor*, and of *Medina de las Torres*, Counsellor

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la Mayor, y de *Medina de las Torres*, del Confexo de Eſtado, Preſidente del de *Italia*; y Don *Gaſpar de Bracamonte y Guſman*, Conde de *Penaranda*, del Conſejo de Eſtado, y Preſidente del de *Indias*, por concurir en ſus perſonas las Prerogativas de Gran Calidad, Prudencia, Experiencia, Zelo, y Amor de mi Servicio, y particularmente por la Gran Confianza, y Satisfacion que me aſſiſte de lo que procuran, y deſſean todo lo que pueda conducir al beneficio y bien publico, por tanto en virtud del preſente poder los authorizo y doy tan cumplida Facultad, qual de derecho ſe requiere, paraque por el Sereniſſimo Rey mi muy charo y muy amado Hijo, y en ſu Real nombre repreſentando mi propria perſona puedan oir, conferir, tratar, ajuſtar, y concluir con el Conde de *Sandwich*, del Conſejo de Eſtado del Sereniſſimo Rey de la *Gran Bretaña Carlos* II. my buen Hermano y Primo, y Su Embaxador Extraordinario en eſta Corte en virtud del Poder, que aſi miſmo preſenta del dicho Rey de la *Gran Bretaña*, qualeſquier Tratados de Renovacion de Paz y mas eſtrecha Amiſtad; y tambien les doy Poder para qualeſquier Tratados de Union y Alianza con el dicho Rey de la *Gran Bretaña*, y una Tregua con la Corona de *Portugal*, por el Tiempo que pareciere, con toda la Mayor Poteſtad, y authoridad, y la miſma que reſide en mi Real Perſona, obligando me, como me obligo, y al dicho Rey mi Hijo, en Fee y Palabra Real à eſtar y paſſar por ello, approvarlo y Ratificarlo con el Juramento, y demas Requiſitos, y Solemnidades, que en tal Caſo fuere neceſſario, dentro, del Termino que para ello ſe Senàlare, ſin diminucion alguna; en Fee de lo qual man-

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of State, and Preſident of *Italy*, and Don *Gaſpar* of *Bracamonte* and *Guſman*, Count of *Penaranda*, Counſellor of State, and Preſident of the *Indies*; for the ſake of the high Quality, Prudence, Experience, Zeal and Love of my Service, which are found in their Perſons, and particularly for the great Confidence and Satisfaction which I have that they endeavour and deſire all Things which can conduce to the publick Good, therefore by Virtue of this preſent Power, I authorize them, and give them as full Leave as is requiſite, to the end that Repreſenting my proper Perſon, they may, for the moſt Serene King, my moſt Dear and Welbeloved Son, and in his Royal Name, Hear, Confer upon, Treat of, Adjuſt and Conclude with the Earl of *Sandwich*, Privy Counſellor of the moſt Serene King of *Great Britain*, *Charles* the Second, my good Brother and Couſin, and his Ambaſſador Extraordinary in this Court, by Virtue of the Power which he has from the ſaid King of *Great Britain*, any Treaty whatſoever of Renewal of Peace, and a more ſtrict Friendſhip; And I likewiſe give them Power to make any Treaties whatſoever of Union and Alliance with the ſaid King of *Great Britain*, and a Truce with the Crown of *Portugal*, for ſuch Time as ſhall be thought proper, together with all other the greateſt Power and Authority, and the ſame which is in my Royal Perſon, Obliging my ſelf, as I do Oblige my ſelf, and the ſaid King my Son, upon my Faith and Royal Word, which is paſſed for it, to Approve and Ratifie the ſame by Oath, and with all other Circumſtances and Solemnities which are neceſſary on this Occaſion, within the Term that ſhall be aſſigned for it, without any Diminu-

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de despachar la presente, firmada de mi Mano, Sellado con el Sello Secreto, y Refrendada del mi Infra Scripto Secretario de Estado. Dada en *Madrid* a 15. de *Junio*, 1666.

Yo la Reyna.

Don Pedro Fernandez del Campo y Angulo.

QUarum Commissionum virtute, & juxta earundem Tenorem, prædicti Excellentissimi Domini, Legatus Extraordinarius Serenissimi *Magnæ Britanniæ* Regis, & Commissarii ac Deputati Serenissimorum Regis ac Reginæ *Hispaniarum*, post frequentes oretenus Communicationes, sollicitam attentionem, & deliberationem exquisitam juxta ac maturam, Negotio adeò arduo dignam, convenerunt, consenserunt, firmaverunt, & concluserunt Articulos Pacis (Deo favente, duraturæ in perpetuum) in hæc quæ sequuntur verba.

In Nomine Sanctissimæ Trinitatis, Patris, Filii, & Spiritûs Sancti, Trium distinctarum Personarum, & Unius solius veri Dei.

ARTIC. I.

IMprimis, conventum & concordatum est, quod inter Coronam *Magnæ Britanniæ* ex unâ, & Coronam *Hispaniarum* ex alterâ parte, ut & inter Terras, Regiones, Regna, & Dominia, & Territoria ad Regum prædictorum alterutrum Spectantia, Eisdemve obtemperantia, universalis, bona, sincera, vera, firma, ac perfecta Amicitia, Confœderatio, &

tion. In Witness whereof, I Ordered these Presents to be Dispatched, Signed with my Hand, Sealed with the Privy Seal, and countersigned by my underwritten Secretary of State. Given at *Madrid* the 15th of *June*, 1666.

I the Queen.

Don Pedro Fernandez del Campo y Angulo.

BY Virtue of which Commissions, and according to the Tenour of the same, the aforesaid most Excellent Lords, the Ambassador Extraordinary of the most Serene King of *Great Britain*, and the Commissaries, and Deputies of the most Serene King and Queen of *Spain*, after frequent Conferences, careful Attention, and accurate as well as mature Deliberation, worthy of so important an Affair, did Agree upon, Consent to, Establish and Conclude Articles of Peace (which, with Gods Assistance, shall endure for ever) in the following Words.

In the Name of the most Holy Trinity, Father Son, and Holy Ghost, Three distinct Persons, and One only True God.

ARTIC. I.

FIrst, it is Agreed and Concluded, That from this day forward there shall be, between the Two Crowns of *Great Britain* and *Spain*, a General, Good, Sincere, True, Firm, and Perfect Amity, Confederation and Peace, which shall endure for ever, and be observed inviolably, as well by Land, as by Sea, and Fresh-waters; and also between the

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Pax erit, quæ ab hoc die in perpetuum durabit, & tam Terrâ, quam Mari, atque ubivis Aquarum, inviolabilitèr obſervabitur. Quodque Regum prædictorum Subditi, Populi, Ditionumque ſuarum Incolæ, cujuſcunque gradûs, aut Conditionis fuerint, mutuâ hinc inde Operâ, mutuis Auxiliis, mutuiſque Benevolentiæ, & Amicitiæ omne genus Officiis invicem demerebuntur.

Lands, Countries, Kingdoms, Dominions, and Territories, belonging unto, or under the Obedience of either of them. And that their Subjects, People, and Inhabitants reſpectively, of what Condition, Degree, or Quality ſoever, from henceforth reciprocally, ſhall help, aſſiſt, and ſhew to one another all manner of Love, good Offices, and Friendſhip.

II.

Quod neque Regum prædictorum alteruter, neque Dominiorum ſuorum Incolæ, Populi, aut Subditi, quocunque ſub prætextu, ſive publicè, ſive privatim, ullibi Locorum, ſive Mari, ſive Terrâ, ſive in Portubus, aut Fluviis, aliquid tentabunt, facient, aut fieri procurabunt, quod alteri parti Damno, aut Detrimento eſſe poſſit; quin altera pars alteram Amicitiâ quam arctiſſimâ & Benevolentiâ omnimodâ complectetur. Liber inſupèr & ſecurus, tam Mari quam Terrâ, alteri Partium in alterius Regiones, Regna, Inſulas, Dominia, Civitates, Urbes muris cinctas, vel non cinctas, munitas, vel non munitas, patebit aditus; Nec non in Stationes Navium, & Portus, ubicunque Negotiatio, & Commercium antehac exerceri ſolebant, ita ut Emptionibus, Venditionibus, & omne genus Negotiationibus ubivis Loci apud alteram partem vacare, quiſque hinc inde poſſit, non minus liberè & ſecurè, quam Cives ipſi cum ſuis Concivibus, aut Popularibus, aut alia Gens extera quæcunque, cui dicta Partis alterutrius loca frequentare datum eſt, negotiantur.

II.

That neither of the ſaid Kings, nor their reſpective People, Subjects or Inhabitants within their Dominions, upon any pretence, may in publick or ſecret, do, or procure to be done, any thing againſt the other, in any Place, by Sea or Land, nor in the Ports or Rivers of the one or the other, but ſhall treat one another with all Love and Friendſhip; and may by Water and by Land, freely and ſecurely paſs into the Confines, Countries, Lands, Kingdoms, Iſlands, Dominions, Cities, Towns, Villages, Walled or without Wall, Fortified or Unfortified, their Havens and Ports (where hitherto Trade and Commerce hath been accuſtomed) and there Trade, Buy, and Sell, as well of and to the Inhabitants of the reſpective Places, as thoſe of their own Nation, or any other Nation that ſhall be or come there.

III.

Quod Regibus hinc *Magnæ Britanniæ*, illinc *Hiſpaniarum*, illud in primis curæ erit, in poſterum ut ſui utrinque Subditi & Populi ab omni Vi, Injuriâ, &

III.

That the ſaid Kings of *Great Britain* and *Spain*, ſhall take care that their reſpective People and Subjects from henceforward do abſtain from all Force, Vi-

Violentiâ invicèm abſtineant ; & ſi quam forte Injuriam per dictorum Regum alterutrum, Ejuſve Populos aut Subditos, Populis aut Subditis alterius inferri contingat, ſive contra Articulos hujus Confœderationis, ſive contra Juris & Æqui Rationem, Literæ Repreſſaliarum, Marcæ, aut Contra Marcæ, eam ob rem ex parte alterutrius Confœderatorum haudquaquam emanabunt, niſi tentatis prius & ſollicitatis Juris & Juſtitiæ remediis ordinariis. Juris verò & Juſtitiæ beneficio, vel dilato, vel denegato, Rex Ille, cujus Subditi, aut Incolæ Injuriam paſſi ſunt, Juſtitiam fieri inſtantiùs poſtulabit & urgebit, vel apud Ipſum Regem ſibi Confœderatum, vel apud Commiſſarios utriuſque Regis Nomine conſtituendos, qui de omnibus hoc genus Querelis, & Controverſiis cognoſcent, eaſque vel amicâ Tranſactione diriment, vel ſaltem juxta Juris Exigentiam terminabunt ; Sin autem ulterior poſt hæc mora interponitur, nullaque Satisfactio intra Sex Menſes poſt Inſtantiam factam ſubſequitur, tum demùm Literas Repreſſaliarum, Marcæ, vel Contra-Marcæ, parti gravatæ concedi poſſe conſenſum eſt.

IV.

Quod inter Regem *Magnæ Britanniæ*, & Regem *Hiſpaniarum*, ut & inter Utriuſque Subditos, Populos & Incolas, tàm Mari quàm Terrâ, atque ubilibet Aquarum, per univerſa & ſingula Regna, Regiones, Territoria, Provincias, Inſulas, Colonias, Civitates, Oppida, Pagos, Portus, Fluvios, Crepidines, Sinus, Freta, & Aquarum Fluenta, alterutrius Regis Imperio obtemperantia, ubi Negotiatio aut Commercium ullo antehac Tempore exerceri conſuevit, libera dabitur hinc indè negotiandi Copia, & Commercia omnis generis inſtituendi, &

olence, or Wrong ; and if any Injury ſhall be done by either of the ſaid Kings, or by the People or Subjects of either of them, to the People or Subjects of the other, againſt the Articles of this Alliance, or againſt common Right, there ſhall not therefore be given Letters of Repriſal, Marque, or Counter-marque, by any of the Confederates, until ſuch time as Juſtice is ſought and followed in the ordinary courſe of Law. But if Juſtice be denied or delayed, then the King whoſe People or Inhabitants have received harm, ſhall ask it of the other, by whom (as is ſaid) the Juſtice ſhall have been denied or delayed, or of the Commiſſioners that ſhall be by the one King or the other appointed to receive and hear ſuch Demands, to the end that all ſuch Differences may be compounded in Friendſhip, or according to Law. But if there ſhould be yet a delay, or Juſtice ſhould not be done, nor Satisfaction given within Six Months after having the ſame ſo demanded, then may be given Letters of Repriſal, Marque or Counter-Marque.

IV.

That between the King of *Great Britain*, and the King of *Spain*, and their reſpective People, Subjects and Inhabitants, as well upon Sea as upon Land, and Freſh-waters, in all and every their Kingdoms, Lands, Countries, Dominions, Confines, Territories, Provinces, Iſlands, Plantations, Cities, Villages, Towns, Ports, Rivers, Creeks, Bays, Streights, and Currents, where hitherto Trade and Commerce hath been accuſtomed, there ſhall be free Trade and Commerce, in ſuch way and manner, that without ſafe Conduct, and with-

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exercendi Facultas, ita ut absque Literis Salvi Conductûs, aut aliâ Licentiæ sive generalis sive specialis formâ, Populi & Subditi alterutrinque possint, tam per Terram quam per Mare & Aquas lenes, liberè navigare & iter facere in Regiones, Regna, Dominia, Civitates, Portus, Aquarum Fluenta, Æstuaria, Districtus, & alia Loca quæcunque Confœderatorum alterutri obtemperantia; Portus etiam quoscunque visum fuerit intrare & ingredi cum Navibus suis onustis, sive vacuis, aliisque onerariarum & Vehiculorum Speciebus quibuscunque; nec non ubi intraverint, Mercimoniis cujuscunque demum generis emendis, vendendis, permutandis, ad quantum libet valorem, seu quantitatem vacare; victualia etiam, & omne genus Commeatuum, sive vitæ sustinendæ, sive itineri faciendo necessarium æquo & consueto pretio sibi comparare; Navibus item suis, aliisque Onerariis, & vehiculis tùm resarciendis, tùm instruendis incumbere; migrare item loco, & cum Navibus suis, aliisque Onerariis, Bonis, Mercimoniis, & Facultatibus, quocunque visum fuerit, liberè discedere, sive ad suos redeundum, sive alio migrandum duxerint, sine ullâ Molestatione, Inquietatione, aut Impedimento dato, Salvis sempèr hinc illinc Juribus, Vectigalibus, & Portoriis imperandis, & solvendis, Salvis etiam Legibus, & Ordinationibus per Dominia & Ditiones singulas utriusque Regis sancitis & observatis.

V.

Concordatum itidèm est, quod Merces & Mercimonia quæ Subditi Regis *Magnæ Britanniæ* per *Hispanias*, aut alia Regna aut Dominia Regi *Hispaniarum* obtemperantia, emerint, suisque ipsorum Navibus, aut etiam aliis Navibus

out general or particular Licence, the People and Subjects of each other may freely, as well by Land as by Sea, and Fresh-waters, Navigate and go into their said Countries, Kingdoms, Dominions, and all the Cities, Ports, Currents, Bays, Districts, and other Places thereof; and may enter into any Port with their Ships laden or empty, Carriage or Carriages wherein to bring their Merchandise, and there buy and sell what and how much they please, and also at just and reasonable Rates provide themselves with Provisions and other necessary things for their Subsistence and Voyage; and also may repair their Ships and Carriages, and from thence again freely depart with their Ships, Carriages, Goods, Merchandise and Estate, and return to their own Countries, or to such other Places as they shall think fit, without any Molestation or Impediment, so that they pay the Duties and Customs which shall be due, and saving to either side the Laws and Ordinances of their Country.

V.

Item, It is likewise Agreed, That for the Merchandises which the Subjects of the King of *Great Britain* shall buy in *Spain*, or other the Kingdoms or Dominions of the King of *Spain*, and shall carry in their own Ships, or in Ships

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ex mutuo vel conducto sibi comparatis, imposuerint, nullis omninò Vectigalibus, Portoriis, Decimis, Subsidiis, aut aliis Oneribus subjicientur, aut gravabuntur, præterquam iis ad quæ solvenda pari casu ipsi Indigenæ, aliique omnes Exteri in iisdem locis Mercaturam exercentes, tenentur; Mercatores item & Subditi prædicti in Emptionibus, Venditionibus, & suarum mercium Contractationibus, tàm ratione Pretii, quàm in omni Vectigalium solutione, iisdem sempèr cum Subditis naturalibus Privilegiis fruentur, & gaudebunt, ipsisque Bona & Mercimonia sibi emere, emptáque Navibus suis (uti superiùs provisum est) imponere integrum erit, ità ut easdem oneratas post Vectigalium debitorum solutionem nefas sit sub prætextu quocunque in Portu detinere, nedum Oneratoribus, Mercatoribus, aut Factoribus, sive Negotiorum Gestoribus, in Emptione vel Oneratione istiusmodi Bonorum occupatis, Litem aut Controversiam ullam, post Navis discessum, super ullâ re Navem, Bona, aut eorundem Onerationem spectante, movere.

hired or lent unto them, no new Customs, Toll, Tenths, Subsidies, or other Rights or Duties whatsoever, shall be taken or increased, other than those which in the like case the Natives themselves, and all other Strangers are obliged to pay; and the Subjects aforesaid buying, selling and contracting for their Merchandises, as well in respect of the Prices, as of all Duties to be paid, shall enjoy the same Priviledges which are allowed to the natural Subjects of *Spain*; and may buy, and lade their Ships with such Goods and Merchandises; which said Ships being laden, and Customs paid for the Goods, shall not be detained in Port upon any pretence whatsoever; nor shall the Laders, Merchants, or Factors, who bought and loaded the Goods aforesaid, be questioned after the departure of the said Ships, for any matter or thing whatsoever concerning the same.

VI.

Quo autem Officiarii & Ministri Civitatum, Oppidorum & Pagorum quorumcunque Confœderatorum, alterutri obtemperantium, nec exigant, nec accipiant à respectivis Mercatoribus aut Subditis majora Vectigalia, Onera, Stipendia, Compensationes, Largitiones, aut aliud quidquam præter ea quæ Jure exigi possunt, juxta Tractatûs hujus Vim & Tenorem, quo Mercatores etiam & Populi prædicti certò scire, & luculentèr discernere possint, quid in Re Telonariâ hinc indè pro constituto & sancito habetur; Conventum & conclusum est, quod in omnibus Ædibus & Exedris Portoriorum Quæsturæ dica-

VI.

And to the end that the Officers and Ministers of all Cities, Towns, and Villages belonging to either, may neither demand nor take from the respective Merchants and People, greater Taxes, Duties, Stipends, Recompenses, Gifts, or any other Charges, than what ought to be taken by virtue of this Treaty; And that the said Merchants and People may know and understand with certainty what is Ordained in all things touching this, It is Agreed and Concluded, That Tables and Lists shall be put up at the Doors of the Custom-houses and Registries of all the Cities, Villages, and Towns of,

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tis, per Civitates, Oppida, & Pagos quoſcunque Sereniſſimorum Regum alterutri obtemperantes, ubi Loci Portoria aut Vectigalia id genus exſolvi ſolent, Tabulæ quædam ſive Indices appendentur, in quibus juſta Ratio, ſeu Taxa Onerum, Vectigalium, Subſidiorum, & Solutionum quarumcunque, tam Fiſco Regio quam Officiariis Telonii debitarum, accuratè deſcribetur, Speciebus ſcilicet Mercium tàm importandarum quàm exportandarum, Sigillatim enumeratis, Taxa ſua conſtabit, & è regione annotabitur. Quod ſi Officiarius quiſquam aut ejus Deputatus exegerit, aut directè vel indirectè, publicè vel privatim, à quoquam Mercatorum, aut Subditorum prædictorum ullam pecuniæ ſummam, Nomine Vectigalis, Oneris, Largitionis, Stipendii, Compenſationis, aut Debiti, acceperit, aut ſibi numerari paſſus fuerit, quæ ex dictarum Tabularum præſcripto, (quantumvis muneris aut Xenii ſpeciem induerit,) haud debebitur ; conſtitutum eſt, quod Officiarius ille, aut ejus Deputatus, qui iſto modo deliquerit, Delictique ſui convictus fuerit coram Judice competente, in Ditione illâ ubi offenderit, pœnâ Incarcerationis per tres menſes continuos caſtigabitur, triploque pecuniæ, ſive rei alius cujuſcunque iniquè receptæ, contra quam ſuperiùs cautum eſt, valore mulctabitur, cujus Mulctæ ſemiſſis alter Fiſco Regio, hinc *Magnæ Britanniæ*, illinc *Hiſpaniarum* addicetur, alter Denuntiatori, jure expeditiſſimo adjudicabitur coram Competente Judice in Ditione illâ, ubi offendiſſe Delinquens deprehenditur.

VII.

Quod licitum erit & integrum Subditis Regis *Magnæ Britanniæ*, tam in Mercibus importandis, quam exportandis, per *Hiſpaniam*, aliaſque Terras, & Do-

or appertaining to one or the other King where ſuch Rights and Exciſes or Cuſtoms are uſually paid ; in which, how much, and of what quality ſuch Rights, Cuſtoms, Subſidies, and Payments, either to the Kings or any the aforeſaid Officers are allowed, ſhall be put down in Writing, declaring as well the Species of what is Imported, as what is carried out. And if any Officer, or any other in his name, upon any pretence whatſoever, in publick or ſecret, directly or indirectly, ſhall ask or receive of any Merchant or other Perſon reſpectively, any Sum of Money or other thing, by the name of Right, Due, Stipend, Allowance, or Recompenſe (though it be by the way of voluntary Donative) more or otherwiſe than aforeſaid, the ſaid Officer or his Deputy being in ſuch manner guilty, and convict before a competent Judge in the Country where the Crime is committed, ſhall be put in Priſon for Three Months, and ſhall pay thrice the value of the thing ſo received ; of which the half ſhall be for the King of the Country where the Crime is committed, and the other half for the Denunciator, for the which he may Sue his Right before any competent Judge of the Country where it ſhall happen.

VII.

That it ſhall be lawful for the Subjects of the King of *Great Britain*, to bring out, and carry into *Spain*, and all or any Lands and Dominions of the King of *Spain* (where heretofore they

minia Regi *Hiſpaniarum* obtemperantia quæcunque, ubi Negotiationem & Commercia exercere antehac conſueverunt, Mercaturam facere, Merces item omnis generis, Pannos, Res & Mercimonia manufacta è *Britanniarum* Inſulis advecta, nec non Mercimonia manufacta, Bona, Fructus, & Species, Inſulis, Urbibus, aut Coloniis Regis *Magnæ Britanniæ* Imperio Subditis oriundas, ut & omnia illa Bona, quæ à Subditorum prædictorum Factoribus, ſeu Negotiorum Geſtoribus, vel cis Promontorium illud Caput Bonæ Spei (*de Buena Eſperança* vulgò vocatum) vel etiam ultra illud Promontorium coempta fuerint, venundare, & diſtrahere, abſque ullâ obligatione ſignificandi, vel manifeſtandi quibuſnam Perſonis, quóve pretio, Mercimonia illa, aut Commeatum quem habebant, vendiderint, ut & abſque Vexatione aut moleſtiâ ullâ cuiquam illatâ ob errores, qui à Navarchis, aut aliis quibuſcunque, circa Mercium, ſeu Bonorum iſtiuſmodi in publicas Tabulas relationem committi ſolent; Subditi etiam prædicti è Dominiis Regis *Hiſpaniarum* pro libitu ſuo remeabunt, & in quæcunque velint Regis *Magnæ Britanniæ* Territoria, Inſulas, Dominia, aut Regiones, aut in ulla alia, ſi maluerint, Loca, cum omnibus ſuis Bonis, Facultatibus, & Mercimoniis, ſolutis priùs Vectigalibus & Portoriis juxta præcedentes Articulos exigendis, liberè diſcedent. Porrò ſi quid fortè Mercium quas devehunt, adhuc reſtat in Portu ubi ſubſiſtunt, quod exoneratum nollent, illud penes ſe detinere, & ſervare, ſecumque in Navibus ſuis, aut Navigiis quibuſcunque auferre poterunt, nihilo prorſùs nomine Vectigalis aut Portorii ſoluto, pari omninò cum Immunitate ac ſi Portus, aut Oras maritimas Regis Catholici nullatenùs attigiſſent,

have uſed Trade and Commerce) and Trade there with all kind of Merchandiſe, Clothes, Manufactures, and things of the Kingdom of *Great Britain*, and the Manufactures, Goods, Fruits, and Kinds of the Iſlands, Towns, and Plantations to him appertaining, and what ſhall have been bought by *Engliſh* Factors on this ſide, or farther on the other ſide of the Cape of *Buena Eſperança*, without being enforced to declare to whom, or for what Price they ſell their ſaid Merchandiſe and Proviſions, or being moleſted for the Errors of the Maſters of the Ships, or others, in the Entry of the Goods; and at their pleaſure to return again out of the Dominions of the King of *Spain*, with all, or any Goods, Eſtates, and Merchandiſe, to any of the Territories, Iſlands, Dominions, and Countries of the King of *England*, or to any other Place, paying the Rights and Tributes mentioned in the antecedent Chapters; and the reſt of all their Lading which is not brought to Land, they may detain, keep and carry away in their ſaid Ship or Ships, Veſſel or Veſſels again, without paying any Right or Impoſition whatſoever for it, as if therewith they had never been within any Bay or Port of the Catholick King. And all the Goods, Eſtates, Merchandiſe, Ships, or other Veſſels, with any things introduced into the Dominions or Places of the Crown of *Great Britain* as Prizes, and judged for ſuch in the ſaid Dominions and Places, ſhall be taken for Goods and Merchandiſe of *Great Britain*, comprehended ſo by the intention of this Article.

aut

aut appropinquassent: Omnia denique Bona, Facultates, Merces, Naves, aut alia Navigia, intra Dominia & Loca Regis *Magnæ Britanniæ* nomine prædæ adducta, & pro prædâ Legitimâ judicialitèr pronuntiatâ, & condemnatâ, tanquam Merces & Bona *Britanniarum* Insulis oriunda, vigore hujus Articuli, censebuntur & reputabuntur.

VIII.

Quod Subditi & Vassalli Serenissimi Regis *Magnæ Britanniæ* Fructus, Merces, & Mercimonia quæcunque *Indiæ Orientalis*, in quæcunque velint Dominia Regi *Hispaniarum* Serenissimo obtemperantia advehere & importare liberè possint, modo constiterit ex Testimonio Deputarorum nomine Societatis *Indiæ Orientalis* prædictæ *Londini* Agentium, quod Fructus & Mercimonia prædicta ex Conquæstibus, Coloniis, vel Factoriis *Anglorum* advecta, vel oriunda sunt, pari prorsus ratione, & Privilegio, atque secundum Formam, Tenorem, & Effectum Ordinationum & Concessionum quæ in favorem Vassallorum Provinciarum *Belgii Inferioris* Fœderatarum in Schedulis Regiis circa Merces prohibitas, sive Contrabandæ, vigessimo septimo *Junii*, & Tertio *Julii*, Anno Millesimo sexcentesimo sexagesimo tertio datis, & trigesimo *Junii*, & quarto *Julii* Anni prædicti promulgatis, emanarunt: Quod autem ad utrasque *Indias*, aliasque partes quascunque attinet, Corona *Hispaniarum* omne id concessum & impertitum vult Regi *Magnæ Britanniæ*, & Vassallis ejus, quod Ordinibus Provinciarum *Belgii Inferioris* Confœderatarum per Tractatum *Monasterii*, Anno Millesimo sexcentesimo quadragesimo octavo celebratum, concessum est, non minùs firmitèr & amplè, quàm si de Capitulo in Capitulum, & Puncto

VIII.

That the Subjects and Vassals of the most Serene King of *Great Britain* may bring and carry to all and singular the Dominions of the King of *Spain*, any Fruits and Commodities of the *East-Indies*, it appearing by Testimony of the Deputies of the *East-India* Company in *London*, that they are of, or have come from the *English* Conquests, Plantations or Factories, with like Privilege, and according to what is allowed to the Subjects of the *United Provinces*, by the Royal *Cedulas* of *Contravando*, bearing Date the 27th of *June*, and the 3d of *July*, 1663. and Published on the 30th of *June*, and 4th of *July* the same Year. And for what may concern both the *Indies*, and any other Parts whatsoever, the Crown of *Spain* doth grant to the King of *Great Britain* and his Subjects, all that is granted to the United States of the *Low-Countries* and their Subjects, in their Treaty of *Munster*, 1648. Point for Point, in as full and ample manner as if the same were herein particularly inserted, the same Rules being to be observed whereunto the Subjects of the said United States are obliged, and mutual Offices of Friendship to be performed from one side to the other.

in Punctum, nihilo prorsus omisso, huc transcriberetur; Observandis iisdem Legibus, quibus Subditi dictorum Ordinum tenentur, & restringuntur, mutuâque amicitiâ hinc indè colendâ.

IX.

Subditi Regis *Magnæ Britanniæ* Negotiationi, Emptioni, & Venditioni Mercium quarumcunque, vacantes intra Dominia, Præfecturas, Insulas, aut Territoria Regis *Hispaniarum*, gaudebunt & fruentur Privilegiis illis omnibus, & Immunitatibus, quæ per Regem Catholicum in gratiam Mercatorum *Anglorum* per *Andalusiam* diversantium in Schedulis Regiis, sive Ordinationibus, Decimo nono die Mensis *Martii*, Vicesimo sexto *Junii*, & Nono *Novembris*, Anno Domini Millesimo sexcentesimo quadragesimo quinto, datis, concessæ & confirmatæ sunt; quas quidem Schedulas sua Majestas Catholica ratihabitas & tanquam hujus Tractatûs partem integralem receptas & confirmatas esse jubet. Quo autem universis hoc innotescat, conclusum est, quod prædictæ Schedulæ, sive Ordinationes Regiæ (quoad earundem substantialia, sive vim & effectum) in numerum horum Articulorum migrabunt, & cooptabuntur, & in usum atq; commodum omnium & singulorum Subditorum Regis *Magnæ Britanniæ*, qui in loco quocunque ad Dominia Regis Catholici spectante commorantur, aut negotiantur, maximo quam fieri potest cum favore extendentur.

IX.

That the Subjects of the King of *Great Britain*, Trading, Buying, and Selling in any of the Kingdoms, Governments, Islands, Ports, or Territories of the said King of *Spain*, shall have, use, and enjoy all the Privileges and Immunities which the said King hath granted and confirmed to the *English* Merchants that Reside in *Andaluzia*, by his Royal *Cedulas* or Orders, dated the 19th Day of *March*, the 26th Day of *June*, and the 9th Day of *November*, 1645. His Catholick Majesty by these Presents reconfirming the same as a part of this Treaty between the Two Crowns. And to the end that it be manifest to all, It is consented, That the said Schedules (as to the whole substance thereof) be passed and transferred to the body of the present Articles, in the name and and favour of all and singular the Subjects of the King of *Great Britain*, Residing and Trading in any Places whatsoever within his Catholick Majesties Dominions.

X.

Quod Naves & omnia alia Navigia ad Regem *Magnæ Britanniæ*, ejusve Subditos spectantia, ubi Dominia aut Portus Regis *Hispaniarum* versus tendunt, aut ingrediuntur, visitationi aut excussioni per Ministros, & Mercium prohibitarum Censores, aut alios quoscunque, sive

X.

That the Ships, or any other Vessels that shall belong to the King of *Great Britain*, or his Subjects, Navigating into the King of *Spain*'s Dominions, or any of his Ports, shall not be visited by the Judges of Counterband, or by any other Officer or Person, by his own, or

propriâ

propriâ Authoritate, ſive alienâ fretos, nullatenus ſubjicientur, neque ulli Milites, Homines armati, Officiarii, aut privati quicunque, Naves prædictas, Cuſtodiæ nomine, vel alio quocunque ſub prætextu, conſcendent, aut intrabunt; Quæſturæ item Telonariæ Miniſtri Naves aut Navigia alterutrius partis, ubi in Regiones, Dominia, aut Portus alterius appulerint, viſitatione, aut Inſpectione aliquâ nullatenus gravabunt, uſque dum Mercibus impoſitis exonerata fuerint, aut illam ſaltem Mercium ſuarum partem in Littore depoſuerint, quam ex declaratione Navarchæ in iſtum Portum deſtinari conſtiterit. Capitaneum, Navarcham, aut alium quempiam Socium, Vectorem aut Nautam, vel in Carcerem detrudere, vel Perſonarum, aut Schapharum ſuarum in Littore detentione vexare nefas eſto. Interim tamen Quæſturæ Telonariæ Officiariis permiſſum eſt, ex ſuo ipſorum Numero nonnullos Navibus iſtiuſmodi, Cuſtodiæ nomine, modo nulla Navis ultra tres Cuſtodes ſuſcipere cogatur, imponere, qui ne quid furtim exportetur, aut ſubtrahatur ante Solutionem Vectigalium ex Articulis hiſce exigendorum invigilabunt, quibus quidem Officiariis in Excubiis agentibus Naves illæ & Navigia, Navarchæ item, Socii, Nautæ, Vectores, Mercatores, Factores, & Proprietarii, omnibus Impenſis & Tributis Cuſtodiæ hujuſmodi causâ immunes erunt, nullóque omninò Onere eo Nomine gravabuntur. Ubi verò Navarcha declaraverit integrum Navis ſuæ Onus in Portu aliquo exonerandum eſſe, Mercium dictarum omnium, quibus onuſta eſt, ratio in Regeſta Telonaria, pro more hactenus uſitato, referetur. Sin autem poſt relationem in Regeſta factam plura inveniuntur in Navi Bona

by any other Authority; nor ſhall any Soldiers, Armed Men, or other Officers or Perſons, be put on Board any of the ſaid Ships or Veſſels; nor ſhall the Officers of the Cuſtom-houſe of the one or the other Party, ſearch in any Veſſels or Ships belonging to the People of the one or the other, which ſhall enter into their Regions, Dominions, or reſpective Ports, until their ſaid Ships or Veſſels are unladen, or until they have carried on Shore all the Lading and Merchandiſe which they declare they reſolve to diſembark in the ſaid Port; nor ſhall the Captain, Maſter, or any other of the Company of the ſaid Ships be Impriſoned, or they or their Boats detained on Shore; but in the interim, Officers of the Cuſtom-houſe may be put on Board the ſaid Veſſels or Ships, ſo they exceed not the Number of Three for each Ship, to ſee that no Goods or Merchandiſe be Landed out of the ſaid Ships or Veſſels, without paying ſuch Duties as by theſe Articles either Party is obliged to pay; which ſaid Officers are to be without any Charge to the Ship or Ships, Veſſel or Veſſels, their Commanders, Mariners, Company, Merchants, Factors, or Proprietors. And when it happens that the Maſter or Owner of any Ship ſhall declare the whole Lading of his ſaid Ship is to be Diſcharged in any Port, the Entry of the ſaid Lading ſhall be made in the Cuſtom-houſe, after the uſual manner; and if after the Entry made, any other Goods be found in the ſaid Ship or Ships, more than what are contained in the ſaid Entry, Eight working Days ſhall be allowed them on which they may work (which ſhall be reckoned from the Day they began to unlade) to the end that the concealed Goods

quam

quam quæ in Regestis descripta sunt, per Octo dies utiles in quibus laborare fas est, (ab eo die à quo Navis exonerari cœpit numerandos) expectandum erit ut Bona illa quæ occultantur in Regesta publica referantur, & eorundem Confiscationi occurratur; & casu quo istiusmodi Bona intra Octiduum præfixum, relatione in Tabulas publicas, & manifestatione, quâ par est, non releguntur, tum illa sola, etiam Exoneratione Navis nondum finitâ, & nulla alia Fisco addicentur; Ità tamen ut Mercator, aut Proprietarius Navis istiusmodi, nullâ aliâ Molestiâ afficiatur; aut aliam quamcunque pœnam incurrat, ubi verò Naves novum Onus in se receperint, liberè exire poterunt.

may be Entred, and the Confiscation of them prevented: And in case that in the time limited, the Entry or Manifestation of them shall not have been made, then such particular Goods only, which shall be found, as aforesaid, though the unlading be not finished, shall be Confiscated, and not any other; nor shall other trouble be given, or punishment inflicted on the Merchant or Owner of the Ship; and when the Ships or Vessels are reladen, they may have freedom to go out again.

XI.

Quod si quæ Navis, ad Regum prædictorum alterutrum, eorumve Subditos aut populos spectans, Portum aliquem in Terris aut Dominiis alterius intraverit, ibidemque vel in Navium Statione aliquâ Bonorum aut Mercimoniorum quibus onusta est partem aliquam in Littus demiserit, ad alia Loca sive intra Regis Confœderati Dominia, sive extra, cum reliquo onere destinata, & festinans, Residuum Oneris, quod nondum exposuit in publicas Tabulas referre nullatenus tenebitur, nedum Vectigali quoquam redimere, modo pro iis Bonis, quæ in Portu, aut Statione, ubi subsistit Navis, exonerata sunt, Telonii Legibus fiat satis: Nullaque Cautio, sive Fidejussoria sive alia quæcunque pro Bonis quæ aliorsum devehenda habet, præstanda erit, ni Quæstio de Feloniâ, Debito, læsâ Majestate, aut alio aliquo Crimine Capitali interveniat.

XI.

That the Ship or Ships appertaining to the one or the other King, or to their respective People and Subjects, that shall enter into any Ports, Lands, or Dominions of the one or the other, and shall Discharge any part of their Goods and Merchandises in any Port or Haven, being consigned with the rest to other Places within or without the said Dominions, shall not be obliged to Register or Pay the Rights of any other Goods or Merchandise, than of that which they shall unlade in the said Port or Haven, nor be constrained to give Bond for the Goods they shall carry to other Places, nor any other Security, if it be not in case of Felony, Debt, Treason, or other Capital Crime.

XII.

Quandoquidem Semissis Vectigalium, quæ Bonis & Mercimoniis peregrinis in

XII.

Whereas the one Moiety of the Custom of all Foreign Goods and Mer-

Angliam

Angliam advectis imponuntur, ex Lege remittendus, & Importanti refundendus, & si forte illa ipsa Bona extra Regnum prædictum intra unum Annum post primam eorum Exonerationem exportare quis velit, præstito prius Juramento quod sint eadem numero Bona pro quibus Vectigalia jam inter importandum soluta sunt; Cumque Bona istiusmodi, etiam post Annum elapsum, sine ullo Vectigali, aut Portorio secundâ vice Solvendo, exportari è Regno quocunque quis velit tempore possint, Conclusum est, quod si qui Subditi Regis *Magnæ Britanniæ* ulla Bona, vel Mercimonia, quocunque Solo orta, aut cujuscunque speciei fuerint, in Portubus Regis Catholici quibuscunque abhinc in posterum exoneraverint, illaque in publicas Teloniorum Tabulas retulerint, Vectigaliaque juxta hunc Tractatum debita exsolverint, & post aliquod Temporis Intervallum eadem Bona, aut aliquam eorum partem aliorsum transportare è re suâ duxerint, ut Foro magis quæstuoso utantur, illud Subditis prædictis omninò permissum & integrum erit, nullo alio Vectigali, Tributove, pro Bonis istiusmodi soluto aut exacto, præstito tamen per Transportantem ad hoc requisitum Juramento, quod non alia sunt, quam illa ipsa Bona, pro quibus Vectigalia Importationis, ubi primum exonerabuntur, soluta sunt. Et si fortè Subditi, Populi & Incolæ Dominiorum alterutrius partis, vel in Terram demiserint vel penes se habuerint Bona aliqua, Mercimonia, Fructus, aut Facultates in Civitate, Oppido, & Pago quocunque, pro quibus Vectigalia juxta formam superiùs præscriptam revera exsoluta sunt, & prædicta Bona, Mercimonia, Fructus, aut Facultates, in aliam aliquam Civitatem, Oppidum, aut Pagum intra ambitum ejusdem

chandises Imported into *England*, is allowed and returned back to the Importer, if the said Goods be Exported out of the said Kingdom within Twelve Months after the first Landing, upon Oath made that they are the same Goods which paid Custom inwards, and that if they be not Re-shipt within the said Twelve Months, yet they may at all times be Exported without paying any Custom or Duty outwards: It is therefore Agreed, That if any the Subjects of the King of *Great Britain* shall hereafter Land any Goods or Merchandise, of what growth or nature soever they be, in any of the Ports of his Catholick Majesty, and having Entred them, and paid the Custom which by this Treaty ought to be paid, and shall afterwards desire to Transport them, or any part of them, to any other Place whatsoever, for a better Market, it shall and may be lawful for him or them so to do freely, without paying or being demanded any other Custom or Duty at all for the same, he or they making Oath, if required thereunto, that they are the same Goods for which Custom was paid at the Landing. And in case that the Subjects, People, and Inhabitants of the Dominions of either part shall unlade, or have in any City, Town, or Village respectively, any Goods, Merchandises, Fruits, or Estates, and have paid the Customs due, according to what hath been declared, and after that, not being able to put them off, shall resolve to remit them to some other City, Town, or Village of the said Dominions, they may not only do it without difficulty or impediment, and without paying other Rights than what were due at their Entry, but likewise the Custom or Rights

ejusdem Dominii transportare apud se statuerint, eo quod isto ubi existunt foro uti è re suâ esse non duxerint, hoc non tantum illis facere omninò integrum erit, & absque ullâ difficultate aut Impedimento permissum, nullisque Oneribus (iis quæ ad primum Ingressum debebantur exolutis) gravabuntur: Cum ubi ex Certificatoriis Officiariorum Rem Telonariam curantium exhibitis constiterit, portoria debito modo & formâ jam semel exoluta fuisse, eadem aut alia quæcunque Vectigalia secundâ vice in alio quopiam Portu exigi nefas esto: Quæstores itidem præcipui, & Receptores Redituum suæ Majestatis Catholicæ, aut alii saltem Officiarii, eo nomine Deputati, omni in posterum Tempore Bonorum & Mercimoniorum ab uno in alium Locum Transportationem fieri permittent, & Certificatoria luculenta dabunt Proprietariis eorundem, aut eorum Commissariis, Vectigalia de Jure debita jam jam ad primam Exonerationem soluta esse. Quibus conspectis, exportari liberè poterunt, & alium quemcunque quis velit Portum aut Locum Portorio & Impedimento omni immunia intrabunt, uti superiùs provisum est, salvo semper Jure alicujus Tertii.

shall not be paid again in any other part of the said Dominions, bringing Certificates from the Officers of the Custom-house, that they were paid before in the due Form. And the chief Farmers and Commissioners of the King of *Spain*'s Rents in all Places, or some other Officer or Officers to be appointed for that purpose, shall at all times permit and suffer the Transportation of all such Goods and Merchandises from Place to Place, and give sufficient Certificate to the Owners thereof, or their Assigns, of their having paid their Custom at their first Landing, whereby they may be carried to, and Landed at any other Port or Place of the said Jurisdiction, free from all Duties or Impediments whatsoever, as aforesaid, saving always the Right of any Third Person.

XIII.

Quod Navibus Populorum & Subditorum alterutrius Confœderatorum in Oris, Fretis, aut aliis quibuscunque Navium Stationibus ad alterum spectantibus Anchoras figere, & in Anchoris stare permissum erit neque tamen Portum vicinum ingredi ullatenus tenebuntur; & casu quo Navis quæpiam, vel vi Tempestatis, vel metu Hostium aut Piratarum, aut aliquo alio Casu adacta, ipsum Portum subire necesse habuerit, modo constiterit illam ad Portum hostilem cum Mercibus prohibitis, vulgò Con-

XIII.

That it shall be lawful for the Ships belonging to the Subjects of the one or the other King, to Anchor in the Roads or Bays of either, without being constrained to enter into Port; and in case they be necessitated to enter thereinto, either by distress of Weather, fear of Enemies, Pirates, or any other Accident, in case the said Ships be not bound to an Enemies Port, and carrying thither Contraband Goods (whereof without some clear Proof, they shall not be questioned) it shall be lawful for the

trabandæ

trabandæ dictis, haud quaquàm deſtinari (cujus Rei ſine luculentis Judiciis minimè poſtulabitur) ex Portu quandocunque lubuerit Navis iſtiuſmodi ſolvet, & in altum ſine Impedimento quocunque revertetur; eâ tamen Lege, ut Onus quod vehit illibatum maneat, nullaque ejus pars in Portu venum exponatur, aut diſtrahatur. Ubi verò jacta eſt Anchora, & intra Portum ſubſiſtitur, ad Viſitationis aut Inquiſitionis cujuſcunque moleſtias ſubmovendas, Literas Salvi Conductûs, aut alias Chartas Itineris deſtinati, & Oneris Indices penes ſe habere & monſtrare ſufficiet; Quibus quidem Officiariis alterutrius Regis, ubi res poſtulat, exhibitis & oſtenſis, Naves iſtiuſmodi abſque ulteriori moleſtatione ad iter propoſitum proſequendum dimittentur.

XIV.

Quod Naves Bellicæ, ſive ad Regum prædictorum alterutrum, ſive ad Inſtructores privatos eorundem alterutri Subditos ſpectent, obviam factæ Navibus Mercatoriis, aut Statione aliquâ agentibus, aut in alto Mari vela facientibus, extra Tormenti Majoris Jactum ſubſiſtent, neque propiùs (ut hâc diſtantiâ Spolii & Violentiæ occaſio omnis præcidatur) accedent; Scapham vero, ſi lubet, duoſque aut tres ſolummodo Claſſiarios ad Mercatoriam emittent, quibus ubi Navem conſcenderint, Literas Salvi Conductûs exhibebit Navarcha vel Patronus, Chartarum etiam Marinarum juxta Formulam in Calce hujus Tractatûs Subjiciendam conceptarum copiam faciet; ex quibus non ſolum de Mercimoniis quibus onuſta eſt Navis, ſed etiam de Domicilii & Reſidentiæ in alterutrius Regis Dominiis loco, ut & de Navarchæ, aut Patroni, nec non Navis ipſius Nomine certiores fient; duabus quip-

ſaid Subjects to return to Sea freely when they pleaſe, with their Ships and Goods, ſo as they do not break Bulk, or expoſe any thing to Sale; and that when they caſt Anchor, or enter the Ports aforeſaid, they be not moleſted or viſited; and it ſhall ſuffice, that in this caſe they ſhew their Paſſports, or Sea-papers, which being ſeen by the reſpective Officers of either King, the ſaid Ships ſhall return freely to Sea without any Moleſtation.

XIV.

And if any Ship or Ships belonging to the Subjects and Merchants of the one or the other, entring into Bays, or in the open Sea, ſhall be Encountred by the Ships of the ſaid Kings, or of Privateers their Subjects; the ſaid Ships, to prevent all Diſorders, ſhall not come within Canon-ſhot, but ſhall ſend their Long-Boat, or Pinnace, to the Merchant-Ship, and only Two or Three Men on Board, to whom the Maſter or Owner ſhall ſhew his Paſſports and Sea-Letters, according to the Form which ſhall be inſerted at the end of this Treaty, whereby not only the Ship's Lading, but the Place to which ſhe belongs, and as well the Maſter and Owner's Name, as the Name of the Ship, may appear; by which means the Quality of the Ship, and her Maſter or Owner will be ſufficiently known, as alſo the Commodities ſhe carries, whether they be Contraband, or not; to the which

pe Rationibus hisce quales sint Merces Navi impositæ, an interdictæ, scilicet, sive Contrabandæ, quis Magister vel Patronus, qualis denique Navis ipsa sit, satis dignosci poterit; Tales porrò Literæ & Chartæ Marinæ Fide & Authoritate eo magis indubitatâ valebunt, quod tam ex parte Regis *Magnæ Britanniæ*, quam ex parte Regis *Hispaniarum*, Certificationibus quibusdam contra Signatis (si necessè fuerit) munientur; quarum Virtute authenticæ magis fient, & adulterinæ pro veris nemini obtrudi poterunt.

Pasports and Sea-Letters, intire Faith and Credit shall be given, so much the rather, for that as well on the part of the King of *England*, as of the King of *Spain*, some Counter-signs shall be given (if it shall be found necessary) whereby their authenticalness may the better appear, and that they may not be in any wise falsified.

XV.

Si quæ Merces aut Bona prohibita è Regnis, Dominiis, aut Territoriis alterutrius Regis exportantur per Populos aut Subditos alterius, in isto Casu sola Bona prohibita, & nulla alia Fisco addicentur; neque etiam præter hanc pœnam incurret istiusmodi Delinquens, ni fortè è Regnis aut Dominiis Regis *Magnæ Britanniæ* Nummos, aut Monetam Regioni propriam, aut Lanam, aut etiam Terram quam vocant Fullonum; ex Dominiis verò Regis *Hispaniarum* Aurum aut Argentum, sive Signatum sit, sive non Signatum, subducat aut exportet; In quibus Casibus Regionis cujusque hinc inde Leges vim suam & effectum debitum obtinebunt.

XV.

If any prohibited Merchandise or Goods shall be Exported from the Kingdoms, Dominions and Territories of either of the said Kings, by the respective People or Subjects of the one or the other, in such case the prohibited Goods shall be only Confiscated, and not the other Goods; neither shall the Delinquent incur any other Punishment, except the said Delinquent shall carry out from the respective Kingdoms or Dominions of the King of *Great Britain*, the proper Coin, Wooll, or Fullers-Earth of the said Kingdoms; or shall carry out of the respective Kingdoms or Dominions of the said King of *Spain*, any Gold or Silver, wrought or unwrought; in either of which cases the Laws of the respective Countries are to take place.

XVI.

Quod Populi & Subditi alterutrius Regis ad Portus alterius accedere, & appellere, ibidémque subsistere & permanere, indéque pari hinc indè cum immunitate emigrare poterunt; idque non solum cum Navibus Mercatoriis, aliisque Navigiis, Negotiationi aut Commercio inservientibus, verum etiam

XVI.

That it shall be lawful for the People and Subjects of both Kings, to have access to the respective Ports of the one and the other, and there remain, and depart again with the same freedom, not only with their Ships, and other Vessels for Trade and Commerce, but also with their other Ships fitted

cum Navibus Bellicis Hoſti tam reſiſtendo tum offendendo comparatis; Navibus item vi Tempeſtatis pulſis, tum Reparatione tum Commeatu, prout opus habuerint, inſtruendis incumbent, modò Navium Sponte ſubintrantium Numerus juſtæ ſuſpicioni non dederit, quæ ſi Bellicæ ſunt, Numerum Octo Navium haud excedent, neque longiorem intra Navium Stationes, aut in Portuum vicinio, moram trahent, quàm quæ Navibus reſarciendis, vel Commeatu excipiendo, neceſſaria æſtimabitur; multò minùs in Cauſâ erunt ut Commercia vel perturbentur, vel abrumpantur, aut Navium alius cujuſcunque Gentis cum Rege iſtius Portûs ubi ſubſiſtunt pacem colentis, acceſſum, introitumve impedient. Ubi verò Numerus plus ſolito magnus Navium bellicarum Caſu aliquo Portum aliquempiam appropinquaverit, iiſdem intrare ipſum Portum, aut in Navium Statione ſubſiſtere, nefas eſto, niſi obtentâ prius à Rege Ipſo, aut à præfecto Portûs intrandi Licentiâ, ni forte vi Tempeſtatis abreptæ, aut Imminentis per Mare Periculi cujuſpiam evitandi gratiâ eo Loci protrudantur; quo in Caſu Præfecto Portûs, aut Loci Magiſtratui Primario appulſûs iſtiuſmodi, quam primum fieri poteſt, cauſæ exponentur, neque diutiùs ibi Loci ſubſiſtent, quam Præfecto aut Magiſtratui prædicto æquum & commodum viſum fuerit, nedum quidquam hoſtile adverſus alios in eodem Portu agentes tentabunt, quod Regum prædictorum alterutri in præjudicium cedere poſſit.

for War, Armed, and diſpoſed to reſiſt and engage the Enemy, and arriving by ſtreſs of Weather to repair their Ships, or furniſh themſelves with Proviſions; ſo that entring willingly, they be not ſo numerous, that they give juſt occaſion of ſuſpicion, to which end they are not to exceed the number of Eight, nor continue in their Havens, nor about their Ports, longer time than they ſhall have juſt cauſe, for the Repair of their Ships, to take in Proviſions, or other neceſſary things, much leſs be the occaſion of interrupting the free Commerce, and coming in of other Ships, of Nations in Amity with either King; and when an unuſual Number of Men of War by accident ſhall come unto any Port, it ſhall not be lawful for them to come into the ſaid Ports or Havens, not having firſt obtained Permiſſion of the King unto whom the ſaid Ports do belong, or the Governors of the ſaid Ports, if they be not forced thereinto by ſtreſs of Weather, or other neceſſity, to avoid the danger of the Sea; and in ſuch caſe they ſhall preſently acquaint the Governor or Chief Magiſtrate of the Place with the cauſe of their coming; nor ſhall they remain there any longer time than the ſaid Governor or Magiſtrate ſhall think convenient, or do any act of Hoſtility in ſuch Ports, that may prove of prejudice to the one or the other of the ſaid Kings.

XVII.

Quod Confœderatorum prædictorum neuter Mercatorem, Navarcham, Nauclerum, aut Marinarium quemquam, eorumve Naves, Merces, Pannos, aut

XVII.

That neither the ſaid King of *Great Britain*, nor the King of *Spain*, by any Mandate general, nor particular, nor for any cauſe whatſoever, ſhall em-

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alia Bona ad alteram partem spectantia, dum in Portubus aut Aquis alterius subsistunt, detinebit, impediet, aut virtute Edicti vel Mandati, sive Generalis, sive Specialis, aut aliam ob Causam qualemcunque arrestabit, aut suo ipsius usui inservire coget, nisi re cum altero Rege, aut saltem cum personis interesse habentibus, priùs communicatâ, eorumque consensu & approbatione desupèr obtentâ; quod tamen itâ intelligendum est, ut Ordinaria Juris Remedia Justitiæ pro æquo & bono administrandæ opportuna ex hoc Articulo nullatenus frustrentur, aut enerventur.

bark or detain, hinder or take for his respective Service, any Merchant, Master of a Ship, Pilot or Mariner, their Ships, Merchandise, Cloaths or other Goods belonging unto the one or the other, in their Ports or Waters, if it be not that either of the said Kings, or the Persons to whom the Ships belong, be first advertised thereof, and do agree thereunto; Provided, that this shall not be construed to hinder or interrupt the ordinary course of Justice and Law in either Country.

XVIII.

Quod Mercatores & Subditi Regis utriusque, eorumque Factores & Famuli, Naves item, Navarchæ, & Marinarii tum eundo tum redeundo, tam per Mare & alias Aquas, quam in Stationibus, & Portubus alterutrinque, omne genus Arma, tam ad Offensionem, quam ad Defensionem, comparata, portare poterunt, & iisdem uti, absque ullâ obligatione Arma istiusmodi in publicas Tabulas referendi; Arma etiam portatilia gestabunt, si lubet, per Terram, iisq; in privatam Defensionem utentur, secundum consuetudinem Loci.

XVIII.

That the Merchants and Subjects of the one and the other King, their Factors and Servants, as also their Ships, Masters or Mariners, may as well going as coming, upon Sea and other Waters, as in the Havens and Ports of the one and the other respectively, carry and use all kind of Arms, Defensive and Offensive, without being obliged to Register them, as also upon Land to carry and use them for their Defence, according to the custom of the Place.

XIX.

Quod nullus Capitaneus, Officiarius, aut Marinarius cujuscunque Navis, ad Subditos aut Populos alterutrius Confœderatorum spectantis, quamdiù intra Regna, Dominia, Terras, Regiones, aut Loca alteri obtemperantia diversantur, litem intendet, aut Damno, vel Præjudicio erit Navibus, Capitaneis, Officiariis, aut Marinariis, quos suos ipsius Populares, aut Regi suo Subditos esse noverit, nomine Mercedis aut Salarii, aut alio sub prætextu quocunque, neque in Servitium, aut Protectionem

XIX.

That the Captains, Officers and Mariners of the Ships belonging to the People and Subjects of either Party, may not commence an Action, nor hinder or bring trouble upon their own Ships, their Captains, Officers or Mariners, in the respective Kingdoms, Dominions, Lands, Countries or Places of the other, for their Wages or Salaries, or under any other pretence. Nor may they put themselves, or be received, by what pretext or colour soever, into the Service or Protection of the King of

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hinc Regis *Magnæ Britanniæ*, illinc *Hispaniarum*, aut suorum respectivè Armorum, se sub Colore quocunque subducet, aut excipietur; quinimò si quæ Controversia aboritur inter Mercatores & Navarchas, aut inter Navarchas & socios Navales, totius Rei arbitrium Gentis Consuli committetur, itâ tamen ut illi qui arbitrio Consulis, tanquam minûs æquo, haud acquiescendum duxerit, integrum sit ad Judices Ordinarios patriæ vel Domicilii sui, interpositâ appellatione, provocare.

England, or King of *Spain*, or their Arms; but if any Controversie happen between Merchants and Masters of Ships, or between Masters and Mariners, the composing thereof shall be left to the Consul of the Nation, but after such manner, as he who shall not submit to the Arbitrement, may appeal to the ordinary Justice of the Place where he is subject.

XX.

Quo autem Mercatores & Negotiantes, Regis *Magnæ Britanniæ* Imperio Subditi, sublatis tandem obstaculis quibuscunque in *Brabantiam*, *Flandriam*, reliquasque *Belgii* Provincias, Regi Catholico obtemperantes, Commercii veteris restaurandi gratiâ, denuò remeare possint, quia consideratum fuit convenire ut omnes Leges, Edicta, Statuta, Ordinationes, & Acta, quibus Panni, & alia Mercimonia Lanea, Opificio *Anglico* contexta, cujuscunque generis sint, sive Coloribus tincta, sive non tincta, sive arte Fulloniâ elaborata, sive non elaborata, in *Flandriam*, aliasque Provincias prædictas importari prohibetur, ad hinc in posterum revocata, cassata & annullata sint, omneque Onus, Tributum, Portorium, Impositio, aut Impensa Pannis aliisque Mercimoniis Laneis in *Angliâ* manufactis, sive ex permissu & convenientiâ, sive alitèr imperata & exoluta, abhinc in posterum cassa sint, & omninò nulla, exceptis tantùm antiquis Portoriis super unaquâque Panni *Anglici* Telâ, seu Volumine, ut & super cæteris pro Ratâ Mercimoniis Laneis, Opificio *Anglico* contextis, juxta antiquos Tractatus & Concordata inter Reges *Angliæ* & Duces *Burgandiæ*, aliosque

XX.

And to the end that all Impediments be taken away, and that the Merchants and Adventurers of the Kingdoms of *Great Britain* be permitted to return to *Brabant*, *Flanders*, and other the Provinces of the *Low-Countries*, under the Jurisdiction of the King of *Spain*; Forasmuch as it hath been thought convenient, that all, and any the Laws, Edicts, and Acts, by which the Importation of Cloth, or any Cloth, or any other Woollen Manufacture, of what kind soever, Dyed or Undyed, Mill'd or Unmill'd, into *Flanders*, or the other Provinces, hath been prohibited, be revoked and disannulled; and that if any Right, Tribute, Imposition, Charge or Money, hath been, with permission, or otherwise, put upon Cloths, or any of the aforesaid Woollen Manufactures so Imported (except the ancient Tribute upon every piece of Cloth, and proportionably upon every other Woollen Manufacture, agreeable to the ancient Treaties and Agreements between the then Kings of *England*, and the Dukes of *Burgundy*, and Governors of the *Low-Countries*) the same should be altogether void, and no such Tribute or Imposition from henceforth imposed, or put upon

Belgii

Belgii Præfectos, dudum impositis & usque continuatis, utque nulla id genus Onera aut Portoria Pannis, aut Mercimoniis Laneis manufactis supra memoratis, quocunque sub prætextu, in posterum imperentur, aut exigantur. Dicti item & Mercatores & Negotiantes in Provincias prædictas, Earumve Civitates & Urbes, negotiandi Causâ commeantes, uti & eorundem Famuli, Factores, & Commissarii, omnibus Privilegiis, Exemptionibus, Immunitatibus & Beneficiis, quibus ullo unquam Tempore antiquitùs gaudebant, abhinc in posterum gaudeant & perfruantur, juxta vim & Tenorem Tractatuum inter Reges *Angliæ*, & Duces *Burgundiæ*, aliosque *Belgii* Præfectos, dudum initorum; Consensum itaque est, quod nominabuntur à Serenissimo *Magnæ Britanniæ* Rege Deputati, qui cum Marchione *de Castel-Rodrigo*, vel qui pro Tempore fuerit earum Provinciarum Gubernatore, aliisve Ministris, sufficientem in hâc parte potestatatem habentibus, concurrent, & super iis omnibus (perpensâ utriusque Gentis Utilitate) amicè tractent & concludant; amplioribus item Mercatores *Angli* Privilegiis, Immunitatibus, & Exemptionibus præsenti rerum Statui accommodatis cumulabuntur, prout ex Negotiantium Commodo & Quæstu, ut & ex ipsius Commercii Securitate, in speciali Tractatu super hoc Negotio ineundo convenire visum fuerit.

XXI.

Quod Subditi & Incolæ Regnorum & Dominiorum Serenissimis *Magnæ Britanniæ*, & *Hispaniarum* Regibus respectivè obtemperantium, cum omni securitate, & libertate navigare, & negotiari poterunt per omnia Regna, Status, & Regiones, quæ pacem, amicitiam, aut Neu-

the said Cloths or Manufactures, for any cause or pretext whatsoever; And that all the *English* Merchants, Trading in any of the said Provinces, their Factors, Servants, or Commissioners, should enjoy from henceforward, all the Privileges, Exemptions, Immunities and Benefits, which formerly have been agreed and given by the aforesaid ancient Treaties and Agreements, between the then Kings of *England* and the Dukes of *Burgundy*, and Governors of the *Low-Countries*: It is therefore Agreed, That Deputies shall be named by the King of *Great Britain*, who meeting with the Marquess of *Castel-Rodrigo*, or the Governor of those Provinces for the time being, or any other Ministers of the King of *Spain*, sufficiently Authorised in this behalf, shall friendly Treat and Conclude hereupon; and also such further Privileges, Immunities, and necessary Exemption, suitable to the present state of Affairs, shall be granted for the Encouragement of the said Merchants and Adventurers, and for the Security of their Trade and Commerce, as shall be agreed upon in a special Treaty, that shall be made between both the Kings, touching this Particular.

XXI.

The Subjects and Inhabitants of the Kingdoms and Dominions of the most Serene King of *Great Britain* and *Spain* respectively, shall with all Security and Liberty Sail to, and Traffick in all the Kingdoms, Estates, or Countries, which are or shall be in Peace, Amity, or

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tralitatem cum alterutro Regum Prædictorum colunt.

XXII.

Libertatem verò illam Impedimento, aut Inquietatione aliquâ nullatenus interrumpent Naves, aut Subditi dictorum Regum alterutrius, ob hoſtilitatem quæ impræſentiarum eſt, aut poſthac eſſe poterit, inter eorum alterutrum, & Regna, Regiones, & Status prædictos, aut illorum aliquem qui Amicitiam, aut Neutralitatem erga alterum obſervat.

XXIII.

Et caſu quo in Navibus iſtiuſmodi Merces prohibitæ, vulgò Contrabandæ, infra deſignatæ, mediantibus rationibus ſupradictis, deprehendi contigerit, è Nave extrahentur, denuntiabuntur, & coram Judicibus Admiralitatis, aut aliis competentibus Fiſco addicentur; ità tamen ut Navis ipſa, aliæque liberæ Merces & permiſſæ, quæ in iſtiuſmodi Navi reperiuntur, nullatenus ex eâ Cauſâ arreſtentur, aut confiſcentur.

XXIV.

Porrò ut omni, quantum fieri poteſt, Controverſiæ, quæ oboriri poſſet circa Merces quæ pro vetitis, & interdictis, ſeu Contrabandæ cenſendæ ſunt, obviam eatur; declaratum & conventum eſt, ſub iſto Nomine comprehenſa eſſe omnia Arma Ignita, veluti Tormenta Bellica, Bombardæ, Mortaria, Petarda, Bombi, Granata, Salciſſæ, Circuli picati, Tormentorum Suſtentacula, Furcillæ, Nitrothecæ penſiles, Pulvis nitratus, Fomites igniarii, Sal nitrum, & Glandes Tormentariæ: Sub eodem etiam Nomine Mercium prohibitarum comprehenduntur reliqua omne genus Arma, ut Haſtæ, Gladii, Galeæ, Caſſides, Thoraces, Bipennes, Jacula, & alia ſimilia: Prohibetur etiam eodem Nomine Militum ut & Equorum Tranſ-

Neutrality with the one or the other.

XXII.

And they ſhall not be diſturbed or diſquieted in that Liberty, by the Ships or Subjects of the ſaid Kings reſpectively, by reaſon of the Hoſtilities which are or may be hereafter between either of the ſaid Kings, and the aforeſaid Kingdoms, Countries, and States, or any of them, which ſhall be in Friendſhip or Neutrality with the other.

XXIII.

And in caſe that within the ſaid Ships reſpectively, be found by the aboveſaid means, any Merchandiſe hereunder mentioned, being of Contraband, and Prohibited, they ſhall be taken out and Confiſcated, before the Admiralty, or other competent Judges; but for this reaſon the Ship, and the other free and allowed Commodities which ſhall be found therein, ſhall in no wiſe be either Seized or Confiſcated.

XXIV.

Moreover, for better prevention of the Differences which might ariſe touching the meaning of forbidden Merchandiſe, and of Contraband; It is Declared and Agreed, That under this Name ſhall be comprehended all Fire-Arms, as Ordnance, Muſquets, Mortar-pieces, Petards, Bombs, Granadoes, Fire-crancels, Fire-balls, Muſquet-reſts, Bandeliers, Gunpowder, Match, Salt-petre, and Bullets; Likewiſe under the Name of forbidden Merchandiſe, are underſtood all other Arms, as Pikes, Swords, Pots, Helmets, Backs and Breaſts, Halberds, Javelins, and ſuch like Armour; Under this Name is likewiſe forbidden the Tranſportation of Soldiers, Horſes, their Harneſſes, Caſes of Piſtols, Holſters, Belts, and other Furniture,

portatio,

portatio, ut & eorum Armatura, Sclopeti, Ephippiarii, Balthei, & Inſtructus omnigeni ad Belli uſum comparati.

XXV.

Ad evitandam paritèr omnem Litis & Contentionis materiam, conventum eſt, ut ſub nomine Mercium interdictarum, & Contrabandæ, non comprehendantur, Frumenta, Triticum, vel alia Grana, & Legumina, Sal, Vinum, Oleum, nec quicquam Nurtimento & Suſtentationi Vitæ ſerviens, ſed maneant libera, ut & aliæ omnes Merces Articulo præcedente non deſignatæ, quarum Tranſlatio ad ipſa quoque Inimicorum Loca permiſſa ſit, exceptis Urbibus & Locis obſeſſis & circumſeptis.

XXVI.

Conventum præterea & concluſum eſt, ut quicquid repertum fuerit oneratum à Subditis & Incolis Regnorum & Dominiorum alterutrius dictorum Regum *Angliæ* & *Hiſpaniarum*, in Navibus inimicis alterutrius dictorum Regum, quamvis Merces non ſint de interdictis, Fiſco addicatur, cum omnibus cæteris quæ in iſtiuſmodi Navi invenientur, ſine exceptione, aut reſervatione.

XXVII.

Conſul ille qui inpoſterum intra Dominia Regis *Hiſpaniarum*, in Subſidium & Protectionem Subditorum Regis *Magnæ Britanniæ* reſidebit, ab Ipſo Rege *Magnæ Britanniæ* nominabitur, qui quidem à Rege deſignatus eandem potentiam & Authoritatem in exequendo munere ſuo habebit, & exercebit, quam ullus uſpiam Conſul in Ditionibus Regis Catholici hactenus conſecutus eſt; Pari modo Conſules *Hiſpani* in *Angliâ* reſidentes eâdem fruentur authoritate, quæ alterius

formed and compoſed for the uſe of War.

XXV.

Likewiſe, to prevent all manner of Diſpute and Contention, It is Agreed, That under the Name of forbidden Merchandiſe, and of Contraband, ſhall not be comprehended Wheat, Rye, Barley, or other Grains, or Pulſe, Salt, Wine, Oyl, and generally whatſoever belongs to the ſuſtaining and nouriſhing of Life, but they ſhall remain free, as likewiſe all other Merchandiſes not comprehended in the preceding Articles; and the Tranſportation of them ſhall be free and permitted, although it be to the Towns and Places of Enemies, unleſs ſuch Towns and Places be Beſieged, and Blocked up, or Surrounded.

XXVI.

It is alſo Agreed, That whatſoever ſhall be found Laden by the Subjects or Inhabitants of the Kingdoms and Dominions of either of the ſaid Kings of *England* and *Spain* Aboard the Ships of the Enemies of the other, though it be not forbidden Merchandiſe, ſhall be Confiſcated, with all things elſe which ſhall be found within the ſaid Ships, without exception or reſerve.

XXVII.

That the Conſul which hereafter ſhall reſide in any of the Dominions of the King of *Spain*, for the help and protection of the Subjects of the King of *Great Britain*, ſhall be named by the King of *Great Britain*, and he ſo named, ſhall have and exercise the ſame Power and Authority in the Execution of his Charge, as any other Conſul hath formerly had in the Dominions of the ſaid King of *Spain*; and in like manner the *Spaniſh* Conſul reſiding in *England*, ſhall enjoy cujuſ-

cujuſcunque Nationis Conſulibus in dicto Regno hactenus eſt permiſſa.

XXVIII.

Ne autem Commercii Jura & Leges, quæ in favorem negotiantium tempore Pacis poſitæ ſunt, vi & effectu deſtinato careant, quod maximè timendum foret, ſi Subditis Regis *Magnæ Britanniæ*, inter eundum, redeundum, diverſandum in Dominiis & Ditionibus Regis *Hiſpaniarum*, circa Commercia, aut alia Negotia moleſtia aliqua, nomine Conſcientiæ, crearetur, ut Commercia ſine diſcrimine ullo exerceri & Negotiantes in tuto, & tranquillo eſſe poſſint, Rex *Hiſpaniarum* prædictus, tàm Mari quàm Terrâ, ſummoperè cavebit & proſpiciet, ne Subditi Regis *Magnæ Britanniæ* moleſtiâ aliquâ afficiantur, aut inquietentur contra Commercii Jura, néve eorum cuipiam gravamen aliquod inferatur, vel quæſtio moveatur, Conſcientiæ nomine vel prætextu, modo ipſi vel aperto Scandalo, vel Offenſæ proterviâ in publicum non impingunt; & Rex *Magnæ Britanniæ* prædictus, ob eaſdem rationes, vice verſâ ſummoperè cavebit, & proſpiciet, ne Subditi Regis *Hiſpaniarum* ullatenùs moleſtiâ aliquâ afficiantur, aut inquietentur, Religionis nomine aut prætextu, contra Commerciorum Jura, quouſque ipſi vel aperto Scandalo, vel Offenſæ proterviâ in publicum non impingunt.

XXIX.

Quod Regis alterutrius Subditi, Populi, & Incolæ Mercimonia ſua intra Dominia, Territoria, Regiones, aut Colonias alterius Regis venum expoſita, Nummis, Æreis, aut Cupreis vendere aut diſtrahere nullatenùs cogentur, neq; eadem Nummis, aut rebus aliis quibuſcunque, quam quæ ipſis allubuerit, permutare, aut pretium rei venditæ ullâ

as much Authority as the Conſuls of any other Nation have hitherto enjoyed in that Kingdom.

XXVIII.

And that the Laws of Commerce that are obtained by Peace, may not remain unfruitful, as would fall out if the Subjects of the King of *Great Britain*, when they go to, come from, or remain in the Dominions or Lordſhips of the King of *Spain*, by reaſon of their Commerce or other Buſineſs, ſhould be moleſted for caſe of Conſcience; therefore that the Commerce be ſecure, and without danger, as well upon Land as Sea, the ſaid King of *Spain* ſhall provide, that the Subjects of the ſaid King of *Great Britain* ſhall not be agrieved contrary to the Laws of Commerce, and that none of them ſhall be moleſted or diſturbed for their Conſcience, ſo long as they give no publick Scandal or Offence; And the ſaid King of *Great Britain* ſhall likewiſe provide, for the ſame reaſons, that the Subjects of the King of *Spain* ſhall not be moleſted or diſturbed for their Conſcience againſt the Laws of Commerce, ſo long as they give no publick Scandal or Offence.

XXIX.

That the People and Subjects reſpectively of one Kingdom, in the Dominions, Territories, Regions, or Colonies of the other, ſhall not be compelled to ſell their Merchandiſe for Braſs-metal Coin, or exchange them for other Coin or Things, againſt their will; or having ſold them, to receive the payment in other Species than what they

aliâ Specie quam illâ de quâ ſtipulatum & conventum eſt, recipere, Lege aut Conſuetudine quâcunque, quæ Tenori hujus Articuli adverſari poſſit, non obſtante.

XXX.

Mercatores utriuſque Gentis, eorum Factores, Famuli, Familiæ, Commiſſarii, aut alii Negotiorum Geſtores, ut & Navium Magiſtri, Naucleri, & Nautæ, liberè & ſecurè intra Regna & Territoria alterutrius Regis, atque etiam in Portubus & Fluviis eorundem, agent & diverſabuntur; Populi item & Subditi alterutrius Regis, cum omni Libertate & Securitate, intra Dominia & Territoria quæcunque alterius Ædibus & Domiciliis habitationi propriis, Officinis etiam, & Apotheſis ad Bona & Merces excipiendas accommodatis gaudebunt, durantéque illo Termino quo vel eaſdem ſibi conduxerint, vel pro iiſdem Contractum inierint, ſine ullo Impedimento perfruentur.

XXXI.

Incolæ & Subditi utriuſque Confœderatorum per omnia Loca Regum prædictorum alterutri obtemperantia, iſtorum Advocatorum, Procuratorum, Notariorum, Sollicitatorum, Sequeſtrorum, & Pragmaticorum operâ & auxilio utentur, quos ſuo uſui magis idoneos eſſe judicaverint, quibus etiam Cauſæ illorum committentur ex Conſenſu Judicum ordinariorum, quando neceſſarium fuerit, & pars litigans hoc requiſiverit, neque cogentur Libros Rationum, aut Commentarios ſuos ullis perſonis exhibere, aut eorundem copiam facere, ni fortè litis aut evitandæ, aut terminandæ Gratiâ, veritati Teſtimonium ex illis perhibere poſſit; Arreſti etiam aut Sequeſtri Nomine haudquaquam detine-

bargained for, notwithſtanding any Law or other Cuſtom contrary to this Article.

XXX.

That the Merchants of both Nations, and their Factors, Servants, and Families, Commiſſioners, or others by them employed; as alſo Maſters of Ships, Pilots, and Mariners, may remain freely and ſecurely in the ſaid Dominions, Kingdoms, and Territories, of either of the ſaid Kings, and alſo in their Ports and Rivers; And the People and Subjects of the one King, may have, and with all freedom and ſecurity enjoy, in all the Lands and Dominions whatſoever of the other, their proper Houſes to live in, their Ware-houſes and Magazines for their Goods and Merchandiſe, which they ſhall poſſeſs during the time for which they ſhall have taken, hired, and agreed for them, without any Impediment.

XXXI.

The Inhabitants and Subjects of the ſaid Confederate Kings, in all the Lands and Places under the Obedience of the one or the other, ſhall uſe and employ thoſe Advocates, Proctors, Scriveners, Agents, and Solicitors, whom they think fit, the which ſhall be left to their choice, and conſented to by the ordinary Judges, as often as there ſhall be occaſion; and they ſhall not be conſtrained to ſhew their Books and Papers of Account to any Perſon, if it be not to give Evidence for the avoiding Law-Suits and Controverſies; neither ſhall they be Embarked, Detained, or taken out of their Hands, upon any pretence whatſoever. And it ſhall be permitted to the People and Subjects of either

buntur,

buntur, neque ullo alio sub prætextu, manibus Proprietariorum extorquebuntur. Integrum etiam erit, & omninò permissum, Subditis utriusque partis, libros quos habuerint Rationum, & Correspondentiæ in Linguâ *Anglicanâ*, *Hispanicâ*, *Belgicâ*, aut aliâ quacunque, quæ ipsis commoda videbitur, perscribere & concinnare, ità ut nulli molestationi aut inquisitioni subjiciantur. Huc accedit, in omne illud ab utrâque parte consensum esse, quod alteri cuicunque Genti circa libros Rationum, Negotiationis, & Correspondentiæ aliàs concessum est.

King, in the respective places where they shall reside, to keep their Books of Account, Traffick and Correspondence in what Language they please, in *English*, *Spanish*, *Dutch*, or any other, the which shall not be molested, or subject to any Inquisition. And whatsoever else hath been granted by either Party, concerning this particular, to any other Nation, shall be understood likewise to be granted here.

XXXII.

Quod si fortè Arresto aliquo aut Sequestro manus injicitur in Bona cujuspiam Personæ, ex Authoritate Tribunalis cujuscunque intra Regna & Dominia alterutrius Confœderatorum, Facultates, Nomina aut Credita illa quæ in possessione Reorum reperiuntur, si ad Populos aut Subditos alterius bonâ fide pertinere dignoscuntur, Fisco addici ex Authoritate istiusmodi Tribunalium haudquaquam poterunt, verum eadem Legitimo Proprietario in specie, si fortè adhuc supersunt, restitui oportet, sin minus, justus eorum Valor, juxta Pactum & Contractum inter Partes initum, intra tres Menses post istiusmodi Sequestrationem exsolvetur.

XXXII.

That in case the Estate of any Person or Persons shall be Sequestred or Seised on by any Court of Justice or Tribunal whatsoever, within the Kingdoms and Dominions of either Party, and any Estate or Debt happen to lie in the Hands of the Delinquents belonging *bona fide* to the People and Subjects of the other, the said Estate or Debts shall not be Confiscated by any of the said Tribunals, but shall be restored to the true Owners *in specie*, if they yet remain, and if not, the value of them (according to the Contract and Agreement which was made between the Parties) shall be restored within Three Months after the said Sequestration.

XXXIII.

Facultates & Bona Subditorum alterutrius Regis, qui intra Terras, Regiones & Dominia alterius vitam cum morte commutaverint, Hæredibus, aliisve, vel ex Testamento, vel ab Intestato succedentibus (salvo cuicunque privato suo Jure & Actione) intacta servabuntur.

XXXIII.

That the Goods and Estates of the People and Subjects of the one King, that shall die in the Countries, Lands, and Dominions of the other, shall be preserved for the lawful Heirs and Successors of the Deceased; the Right of any Third Person always reserved.

XXXIV.

Bona & Facultates Subditorum Regis *Magnæ Britanniæ*, qui nullo condito

XXXIV.

That the Goods and Estates of the Subjects of the King of *Great Britain*, that shall

Teſtamento vitam finierint intra Dominia Regis *Hiſpaniarum*, per Conſulem, aut alium Regis *Magnæ Britanniæ* Miniſtrum Publicum in Inventarium redigentur, unà cum Chartis Scriptis, Libris Rationum, & Documentis quibuſcunque, quæ penes duos aut tres Mercatores, per dictum Conſulem, aut Miniſtrum deſignandos, Proprietariis, Hæredibus, aut Creditoribus tradenda deponentur, neque verò Conſilium *Bullæ Cruciatæ*, neque ullum aliud Tribunal, de Bonis Defuncti cujuſcunque cognoſcet, neque eis ſe immiſcebit; quod etiam pari Caſu reciprocè fiet in *Angliâ* erga Subditos Regis *Hiſpaniarum.*

XXXV.

Honeſtus & commodus Sepulturæ Locus concedetur, & deſignabitur inhumandis Cadaveribus Subditorum Regis *Magnæ Britanniæ*, qui intra Dominia Regis *Hiſpaniarum* vitam cum morte commutaverint.

XXXVI.

Si qua verò Controverſia inter prædictos Confœderatos, (quod abſit) in poſterum aboriretur, undè mutua Commercia, & reciprocam Correſpondentiam abruptum iri periculum foret, matura, hoc eſt, ſex Menſium, antequam ad hoſtilitatem devenitur, iſtius Rei utrinque conſtabit Denuntiatio, ut Merces & Facultates quiſque ſuas hinc indè habere poſſit, nullâ interea Moleſtatione, aut Gravamine, per Detentionem, ſive Arreſtationem Bonorum vel Perſonarum interpoſito.

XXXVII.

Omnia Bona & Jura occultata, vel Sequeſtro poſita, mobilia, immobilia, Reditus, Actiones, Nomina, Credita, & Similia, quæ præmiſsâ Cauſæ cognitione, & debitâ ſecundum Leges ordinarias Condemnatione, tempore Concluſionis

Die without making a Will in the Dominions of the King of *Spain*, ſhall be put into Inventory, with their Papers, Writings, and Books of Account, by the Conſul or other publick Miniſter of the King of *Great Britain*, and depoſited in the Hands of Two or Three Merchants, that ſhall be named by the ſaid Conſul or publick Miniſter, to be kept for the Proprietors and Creditors; and neither the *Cruzada*, nor any other Judicatory whatſoever, ſhall intermeddle therein; which alſo in the like caſe ſhall be obſerved in *England* towards the Subjects of the King of *Spain.*

XXXV.

That a decent and convenient Burial-place ſhall be granted and appointed to bury the Bodies of the Subjects of the King of *Great Britain*, who ſhall Die within the Dominions of the King of *Spain.*

XXXVI.

If it ſhall happen hereafter that any Difference fall out (which God forbid) between the King of *Great Britain* and the King of *Spain*, whereby the mutual Commerce and good Correſpondence may be endangered, the reſpective Subjects and People of each Party ſhall have Notice thereof given them in time, that is to ſay, the ſpace of Six Months, to Tranſport their Merchandiſe and Effects, without giving them in that time any Moleſtation or Trouble, or Retaining or Embarking their Goods or Perſons.

XXXVII.

All Goods and Rights Concealed or Embarked, Moveables, Immoveables, Rents, Deeds, Debts, Credits, and the like, which have not, with a formal Notice of the Cauſe, and by a Legal Condemnation, according to the Ordi-

hujus Tractatûs, Regium Fiscum nondum intraverint, Proprietarii ipsi, Hæredes eorum, aut alii quibus Jus competit, Liberè & plenariè administrabunt & de iisdem unà cum omnibus eorundem Fructibus, Reditibus Obventionibus, & Emolumentis, pro libitu statuent & disponent. Illi etiam qui Bona & Jura istiusmodi occultaverint, ut & illorum Hæredes, nullâ per Fiscum molestiâ hanc ob Causam afficientur; cum Proprietarii ipsi, aut eorum Hæredes, aut etiam illi quibus Jura eorundem competunt eo nomine Actionis habebunt, & si lubet, intendent non minùs Liberè in Bona, cæteraque prædicta, quam in Res Jure Proprietatis & Dominii ad se pertinentes.

XXXVIII.

Conventum & conclusum est, quod Populi & Subditi alterutrius Confœderatorum prædictorum, in Terris, Maribus, Portubus, Navium Stationibus, Æstuariis, & Territoriis alterius, aliisque quibuscunque locis, iisdem planè Privilegiis, Securitatibus, Libertatibus, & Immunitatibus, sive Personas eorum, sive Negotiationes Spectantibus, gaudebunt & fruentur, quæ jam concessæ, aut in posterum concedendæ sunt, per Regum Prædictorum alterutrum, aut Regi Christianissimo, aut Ordinibus Generalibus Provinciarum *Belgii* Fœderatarum, aut Civitatibus *Hanseaticis*, aut Regno vel Statui alii cuicunque, per suos Tractatus aut Schedulas Regias, cum omnibus istiusmodi Concessionum Sententiis & Clausulis, sive Beneficium aliquod, sive Favorem spondentibus, in modo & formâ adeo amplâ, atque ad omnem Contractûs initi & ratihabiti effectum valente, ac si eædem in hunc ipsum Tractatum verbatim transcriptæ & insertæ essent.

nary Justice, been brought into the Royal Exchequer at the time of concluding this Treaty, shall remain at the full and free disposal of the Proprietors, their Heirs, or of those who shall have their Right, with all the Fruits, Rents, and Emoluments thereof, and neither those who have concealed the said Goods, nor their Heirs shall be molested for this cause by the Exchequers respectively; but the Proprietors, their Heirs, or those who shall have their Right, shall have for the said Goods and Rights their Action at Law, as for their own proper Goods and Estate.

XXXVIII.

It is Agreed and Concluded, That the People and Subjects of the King of *Great Britain*, and of the King of *Spain*, shall have and enjoy in the respective Lands, Seas, Ports, Havens, Roads, and Territories of the one or the other, and in all Places whatsoever, the same Privileges, Securities, Liberties, and Immunities, whether they concern their Persons or Trade, with all the beneficial Clauses and Circumstances which have been granted, or shall be hereafter granted by either of the said Kings, to the most Christian King, the States General of the *United Provinces*, the *Hans-Towns*, or any other Kingdom or State whatsoever, in as full, ample, and beneficial manner, as if the same were particularly mentioned and inserted in this Treaty.

XXXIX. Sin

XXXIX.

Sin autem Controversiam aliquam super dictis Articulis de Commerciorum Ratione statuentibus, ab Officiariis Admiralitatis, aut aliis Personis quibuscunque in alterutro Regno agentibus, moveri contingat, querelâ per partem interesse habentem ad Regiam Majestatem, aut saltem aliquem Consiliarium Regium delatâ, Rex coram quo agitur, curabit ut damna sine morâ resarciantur, & ut singula, sicuti superiùs concordatum est, executionem & effectum debitum sortiantur. Et si fortè Tractu temporis Fraudes aliquæ aut Inconvenientiæ se prodant in Commerciis & Navigatione, quibus non satis ex his Articulis provisum sit & cautum, aliæ Præcautiones adhiberi poterunt, quæ Rationi consonæ, utrinque videbuntur, manente tamen præsente Tractatu in suâ vi & vigore.

XL.

Item concordatum & conclusum est, quod dicti Serenissimi Reges *Magnæ Britanniæ* & *Hispaniarum* omnia & singula Capitula in præsenti Tractatu conventa & stabilita, sincerè ac bonâ fide observabunt; per suosque Subditos & Incolas observari & custodiri facient, neque illis directè vel indirectè contravenient, aut per suos Subditos & Incolas ut contraveniatur consentient. Omniáque & singula, ut supra conventa, per Patentes utrinque Literas in sufficienti, validâ, & efficaci formâ conceptas, & confectas Ratahabebunt, & confirmabunt, easdemque reciprocè tradent, tradive facient bonâ fide & realitèr, intra quatuor Menses à datâ Præsentium numerandos, & curabunt exindè præsentem Pacem & Amicitiam Locis & Formâ consuetis

XXXIX.

In case any Difference or Dispute shall happen on either side concerning these Articles of Trade and Commerce, by either the Officers of the Admiralty or other Person whatsoever, in the one or the other Kingdom; The Complaint being presented by the Party concerned, to their Majesties, or to any of their Council, their said Majesties shall cause the Damages forthwith to be repaired, and all things, as they are above Agreed, to be duly executed; And in case that in progress of time any Frauds or Inconveniencies be discovered in the Navigation and Commerce between both Kingdoms, against which sufficient Prevention hath not been made in these Articles, other Provisions may be hereafter mutually Agreed on, as shall be judged convenient, the present Treaty remaining still in full force and vigour.

XL.

It is likewise Accorded and Concluded, That the most Serene and Renowned Kings of *Great Britain* and *Spain* shall sincerely and faithfully observe and keep, and procure to be observed and kept, by their Subjects and Inhabitants respectively, all and singular the Capitulations in this present Treaty Agreed and Concluded, neither shall they directly or indirectly infringe the same, or consent that the same shall be infringed by any of their Subjects or Inhabitants. And they shall Ratifie and Confirm all and singular the Conventions before Accorded by Letters Patents reciprocally, in sufficient, full and effectual Form, and the same so formed and made, shall interchangeably deliver, or cause to be de-

(quam

(quam primum fieri poterit) publicari.

In quorum omnium & ſingulorum Fidem, Nos ſupramemorati, Legatus Extraordinarius Sereniſſimi Regis *Magnæ Britanniæ*, & Commiſſarii Sereniſſimorum Regis ac Reginæ *Hiſpaniæ*, præſentem Tractatum Manibus noſtris, & Sigillis mutuis ſubſignavimus, & munivimus. *Madriti* $\frac{\text{Decimo tertio}}{\text{Viceſimo tertio}}$ die Menſis *Maii*, Anno Domini Milleſimo ſexcenteſimo ſexageſimo ſeptimo.

(L.S.) *Sandwich*. (L.S.) *J. Eberardo Nidardo.*
(L.S.) *Duc de St. Lucar*, &c. (L.S.) *Conde de Penaranda.*

livered faithfully and really, within Four Months after the Date of theſe Preſents; and they ſhall then, as ſoon as conveniently may be, cauſe this preſent Treaty of Peace and Amity to be publiſhed in all Places, and in the manner accuſtomed.

In Witneſs whereof, we the above mentioned Ambaſſador Extraordinary of the moſt Serene King of *Great Britain*, and the Commiſſaries of the moſt Serene King and Queen of *Spain*, have put our Seals to this preſent Treaty, ſubſcribed with Our own Hands, at *Madrid* the $\frac{13}{23}$ Day of *May*, in the Year 1667.

(L.S.) *Sandwich*. (L.S.) *J. Eberardo Nidardo*
(L.S.) *Duc. de St. Lucar*, &c. (L.S.) *Conde de Penaranda.*

Formula

Formula Literarum Certificatoriarum quibus Urbes & Portus Maritimi Naves & Navigia inde solventia dimittant.

OMnibus & singulis ad quos Præsentes Literæ pervenerint. Nos Præfecti, Consules, aut Supremus Magistratus, aut Teloniorum, aut Custumarum Commissarii Urbis vel Provinciæ *N.* notum, Testatúmque facimus, quod *N. N.* Magister Navis *N.* coram nobis mediante Solenni Juramento declaravit, Navem *N.* dictam Tonnarum, (aut eo circitèr) capacem, cujus ipse est Magister, ad Urbis *N. N.* Incolas in Dominiis Serenissimi Regis *Magnæ Britanniæ* Jure Proprietatis & Dominii pertinere. Quoniam autem in justis suis Negotiis & Itineribus benignè acceptum, & accommodatum vellemus, omnes & singulas Personas quibus dictum Magistrum, vel obviam fieri, vel apud quos illum cum Navi suâ, & Mercibus suis appellere aut subsistere contigerit, ut eum benignè admittant, humanitèr tractent, eúmque ad, in, & per Portus, Oras, Stationes Navium, Fluvios, & Dominia, navigare, meare, remeare, & negotiari, prout ipsi visum fuerit, illo interim Vectigalia, aliáque Tributa quæ debebuntur exsolvente permittant rogamus. Quod nos grato & benevolo Animo, prout Officiorum vices se obtulerint, agnoscemus. In cujus rei Testimonium Præsentes Literas Manu signavimus, & Urbis nostræ Sigillo muniri fecimus.

Guil. Godolphin.

Pedro Fernandez del Campo y Angulo.

The Form of Letters which ought to be given by the Towns and Sea-Ports, to the Ships and Vessels setting Sail from thence.

TO all unto whom these Presents shall come. We the Governors, Consuls, or Chief Magistrate, or Commissioners of the Customs, of the City, Town, or Province of *N.* do testifie and and make known, That *N. N.* Master of the Ship *N.* hath before us, under solemn Oath, declared, That the Ship *N.* of Tons (more or less) of which he is at present Master, doth belong to the Inhabitants of *N.* in the Dominions of the most Serene King of *Great Britain.* And We, desiring that the said Master may be assisted in his Voyage and Business, do intreat all Persons in general and particular, who shall meet him, and those of all Places where the said Master shall come with the said Ship and her Merchandise, that they would admit him favourably, treat him kindly, and receive the said Ship into their Ports, Bays, Havens, Rivers, and Dominions, permitting her quietly to Sail, Pass, Frequent, and Negotiate there, or in any other Places, as shall seem good to the said Master, paying still the Toll and Customs which of Right shall be due. Which we will acknowledge gratefully upon the like Occasions. In Witness whereof, We have Signed these Presents, and Sealed them with the Seal of our Town.

Will. Godolphin.

Don Pedro Fernandez del Campo y Angulo.

Sello

Sello Segundo Sesenta y Ocho Maravedis Año de mil y Seiscientos y Noventa y Dos.

PETICION.

DON *Brian Janson*, Consul de la Nacion *Inglesa*, como mejor aya lugar, digo, que su Magest. fue servido de despachar diferentes Cedulas en favor de la dicha Nacion, para que tengan Juez conservador particular, para que conozca de sus causas, assi siendo actores, como reos de la dicha Nacion; y en los Articulos de las pazes nueve, y treinta y ocho se dispuso por condicion expressa de ellas se guardassen todas las exempciones concedidas en la dicha Nacion *Inglesa*, pactos, y privilegios concedidos a otra qualquiera Nacion, y Ciudades *Anseaticas*: como tambien consta de otra Cedula despachada por la Reyna nuestra Señora; y estas Ciudades *Anseaticas* tienen privilegio de Juez Conservador, siendo actores, y siendo reos, como lo tiene la dicha Nacion *Inglesa*; como consta de la copia de la Cedula, y Cedula, q̃ presento, y juro, dada en *Madrid* en veinte de *Março* de setenta. Suplico a V.S. man-

PETITION.

I Don *Brian Johnson*, Consul of the *English* Nation, in the best Form I can, do Declare, That his Majesty hath been pleased to dispatch divers Cedulas or Grants in favour of the said Nation, whereby they may have a particular Judge Conservator, that may take Cognizance of their Causes, as well being Plaintiffs as Defendants of the said Nation; and in the Articles of Peace, in the Ninth Article, and the Thirty eighth, it is expresly Ordered and Agreed, that they should be kept with all the Exemptions granted to the said *English* Nation, together with the Rights and Privileges granted to any other Nation whatsoever, or to the *Hans-Cities*: As also doth appear by another Cedula set forth by the Queen our Lady; and these *Hans-Towns*, have the Privilege of a Judge Conservator, being either Plaintiffs or Defendants, as the said *English* Nation hath, as appears by a Copy of the said Cedula,

de ver las dichas Cedulas Articulos de pazez, y mandar que se guarden, y executen en todo, y por todo, an siendo los de la Nacion *Inglesa* actores, como siendo reos, proveyendo como mas en favor de la dicha Nacion sea, pido justicia, *&c.*

Don Brian Tanson. Lic.

D. Juan de Oliver.

and the Cedula which I now Present and Swear to: Given in *Madrid* the Twentieth Day of *March*, in the Year, One thousand six hundred and seventy: I intreat your Lordship therefore, to Command the said Cedulas, and Articles of Peace be Perused, and to Order, that they be Observed, and Executed in all respects; Let those of the *English* Nation, be either Plaintiffs or Defendants, providing as much as may be in Favour of the said Nation: I ask Justice, *&c.*

Don Brian Johnson. Lic.

D. Juan de Oliver.

La Reyna Governadora.

CEDULA. POR quanto los hombres de negocios de la Nacion *Inglesa*, que comercian en la Ciudad de *Sevilla*, me han representado reciben muchas vejaciones de los Ministros que residen en ella, contraviniendo a lo capitulado entre esta Corona, y aquella, suplicandome, que para que en lo de adelante no se le perjudique en nada de lo assentado, y dispuesto en la paz, lez mandasse dar el despacho necessario para su observancia; como tambien para que las Cedulas que el Rey mi Señor (que santa gloria

The Queen Governess.

FOR as much as the Merchants of the *English* Nation, which Trade in the City of *Sevilla*, have Represented, That they receive many Vexations from the Ministers which Reside therein, Contravening the Articles between this Crown and that, humbly Intreating me, that for the Future they may not be Prejudiced in any thing that hath been Agreed to, or Ordered in the Articles of the Peace, and that I would Order the necessary Dispatches to be given for the Observance thereof: As CEDULA.

gloria aya) les concedio el año de mil y seiscientos y quarenta y cinco, tuviessen su fuerça, y vigor, por cer parte del Tratado ajustado ultimamente entre mi, y el Serenissimo Rey de la *Gran Bretaña*, como lo previene el capitulo nueve, y he venido en ello. Por tanto ordeno, y mando al Regente de la Audiencia de Grados de la Ciudad de *Sevilla*, y a los demas Ministros de ella, a quien tocare el cumplimiento de lo uno, y lo otro en qualquier manera, executen inviolablemente lo contenido en dicha paz, y lo concedido por las Cedulas referidas, siempre que fueren requeridos con ellas, ò sus traslados autorizados, sin ir contra su tenor de ninguna manera, que tal es mi voluntad. Dada en *Madrid*, a veinte de *Março* de mil y seiscientos y setenta.

Yo la Reyna.

D. Diego de la Torre.

also that the Cedulas which the King my Lord (now in Glory) granted them, in the Year, One thousand six hundred and forty five, may have their full Force and Vigour, as being Part of the last Treaty adjusted between me, and the most Serene King of *Great Britain*, as is referred to in the Ninth Article, I have Consented thereunto: Wherefore I Order and Command the President of the Court of Degrees of the City of *Sevilla*, and all other Ministers thereof, to whom belongs the Performance of the one and the other, that in all respects whatsoever, they inviolably Execute all what is contained in the said Articles of Peace, and granted by the Cedula referred to, whensoever they are required by them, or Authentick Copies, without going against the Tenor thereof in any wise, for such is my Will. Given in *Madrid*, the Twentieth of *March*, One thousand six hundred and seventy.

I the Queen.

D. Diego de la Torre.

PETICION.

DON *Brian Tanson*, Consul de la Nacion *Inglesa*; parezco ante V. S. y digo: Que à la dicha Nacion conviene, que *Andres Perez de Mansilla*, Escrivano de Govierno desta Ciudad, por an-

PETITION.

I Don *Brian Johnson*, Consul of the *English* Nation, appear before your Lordships, and say: That it is convenient for the said Nation, that *Andrez Perez de Mansilla*, Notary of the Go-

te quien ſe publicaron los capitulos que ſe adjuſtaron por el año paſſado de ſeiſcientos y ſeſenta y ſiete, entre eſta Corona, y la de *Inglaterra*, dè un tanto de los capitulos nueve, y treinta y ocho. Por tanto à V. S. pido, y ſuplico mande deſpachar ſu mandamiento compulſorio, para que el dicho *Andres Perez de Manſilla* dè un tanto de los dichos capitulos: pido juſticia.

Don Brian Yanſon.

vernment of this City (before whom were publiſhed the Articles of Peace, which were adjuſted in the Year, One thouſand ſix hundred ſeventy and ſeven, between this Crown and that of *England*) do give a Copy of the Ninth, and Thirty eighth Articles, wherefore I deſire your Lordſhips, and humbly Intreat, that you cauſe to be Iſſued out your Compulſory Mandate, to the end, that the ſaid *Andrez Perez de Manſilla*, may give an Abſtract of the ſaid Articles: I ask Juſtice.

Don Brian Johnſon.

AUTO.

QUE el dicho *Andres Perez de Manſilla* dè à la parte del dicho Conſul un tranſlado autorizado, y en manera que haga fee, de los dos capitulos de Pazes que eſta peticion refiere, y que eſte auto ſirva de mandamiento. Su Señoria el Señor Doctor Don *Rodrigo Serrano y Trillo*, del Conſejo de ſu Majeſtad, y ſu Regente en la Real Audiencia deſta Ciudad, Juez Conſervador de la Nacion *Ingleſa* lo mando en *Sevilla* en treze dias del mes de *Setiembre* de mil ſeiſcientos y ſetenta años.

Doctor Don Rodrigo Serrano y Trillo.

Ante mi,

Juan Gonçalez de Avellaneda.

The ACT.

THat the ſaid *Andrez Perez de Manſilla*, do give, on the behalf of the ſaid Conſul, an Authentick Copy, atteſted in due Form, of the Two Articles of the Peace, which this Petition refers to, and that this Act ſerve for a Mandate. His Lordſhip *Don Rodrigo Serrano y Trillo*, of his Majeſties Council, Preſident of the Royal Court of this City, Judge Conſervator of the *Engliſh* Nation, has Ordered it in *Sevilla*, the Thirteenth Day of the Month of *September*, in the Year, 1670.

Don Rodrigo Serrano y Trillo.

Before me,

Juan Gonçales de Avellaneda.

Andres

Testimonio.

ANdres Perez de Mansilla, Escrivano del Rey nuestro Señor, y del Govierno, y Assistencia desta Ciudad de *Sevilla*, doy fee, que por el quaderno de autos, fecho sobre lo ajustado, y concluido entre esta Corona, y la de *Inglaterra*, los capitulos de renovacion de paz, y comercio, què se publicaron en esta Ciudad à los veinte y nueve dias del mes de *Diziembre* del año de mil y seiscientos y sesenta y siete, en virtud de Cedula de la Reyna nuestra Señora, dirigida al Señor Conde de *Humanes*, que fue Assistente, y Maestro de Campo General en esta Ciudad, su Tierra, y Capitania; cuya copia autorizada, y concordada està en los dichos autos, y con ellos un traslado, para la continuacion, y renovacion de paz, y amistad entre las dos Coronas de *España*, y la *Gran Bretaña*, de letra de molde en quartilla, que es el que se remitiò à *Madrid* con dicha Cedula, y el mismo de que se hizo publicacion en esta dicha Ciudad, y partes publicas della; y entre los capitulos de dicho Tratado de paz ay dos, el uno numero nueve, y el otro numero treinta y ocho, que uno en pos de otro son del tenor siguiente,

Certificate.

ANdrez Perez de Mansilla, Notary Publick for our Lord the King, and for the Government of this City, do Certifie, That by the Registers of Publick Acts made upon what hath been Adjusted, and Concluded between this Crown and that of *England*, for Renewing the Articles of Peace, and Commerce, which were Published in this City, the Twenty ninth Day of the Month of *December*, in the Year, One thousand six hundred seventy seven, by Virtue of the Cedula from our Lady the Queen, directed to the Count de *Humanes*, who was then Governor, and Colonel of the Forces in this City and its Districts, and which Copy, Authorised and Compared, is in the said Acts, and with them a Copy for the Continuation and Renewing of the Peace and Amity between the Two Crowns of *Spain* and *Great Britain*, Printed in Quarto, which is that which was remitted to *Madrid* with the said Cedula, and is the same which was Published in this said City, and in the Publick Places thereof, and amongst the Articles of the said Treaty of Peace there are Two, the one Number Nine, and the other Number Thirty eight, which are of the Tenor following, *Viz.*

ACT.

CAP. 9.

QUE los Subditos del Rey de la *Gran Bretaña*, tratando, comprando, y vendiendo en qualquiera de los Reynos, Goviernos, Islas, Puertos, ò Territorios del dicho Rey de *España*, tendràn usaràn, y gozaràn todos los privilegios, y immunidades, que el dicho Rey ha dado, y confirmado a los Mercaderes *Ingleses* que residen en *Andalucia*, por sus Reales Cedulas, ò ordenes, fechas en diez y nueve de *Março*, en veinte y seis de *Junio*, y nueve de *Noviembre*, de mil y seiscientos y quarenta y cinco: Su Catolica Majestad por las presentes, reconfirmando lo mismo, como parte de este Tratado entre las dos Coronas, y a fin que sea manifiesto à todos se ha consentido que las dicas Cedulas, en quanto à su entera substancia, se passen, y transfieran al cuerpo destos presentes Articulos, en nombre, y à favor de todos, y cada uno de los Subditos del Rey de la *Gran Bretaña*, residiendo, y tratando en qualquiera parte que sea dentro de los Dominios de la Catolica Magestad.

ARTIC. 9.

THat the Subjects of the King of *Great Britain*, Trading, Buying and Selling, in any of the Kingdoms, Governments, Islands, Ports, or Territories of the said King of *Spain*, shall Hold, Use, and Enjoy, all the Privileges and Immunities which the said King hath Granted and Confirmed to the *English* Merchants, which reside in *Andalucia*, by his Royal Cedulas or Orders, made the Nineteenth of *March*, the Twenty sixth of *June*, and Ninth of *November*, One thousand six hundred forty and five: His Catholick Majesty by these Presents Ratifying the same, as part of this Treaty between the two Crowns, and to the end that it may be manifest to all People, he hath consented that the said Cedulas, as to their entire Substance be brought, Transferred and Incorporated in these present Articles, in the name and in behalf of all and every of the Subjects of the King of *Great Britain*, Residing and Trading in any Part whatsoever, within the Dominions of his Catholick Majesty.

CAP. 38.

ES acordado, y concluido, que los Pueblos, y Subditos del uno, y del otro los dichos Señores Reyes tengan, y gozen en sus respectivas

ARTIC. 38.

IT is Agreed and Concluded, That the People and Subjects of the one and the other of their said Majesties, shall have and enjoy in their

Tierras, Mares, Puertos, Radas, Playas, Territorios, y Lugares del uno, y otro, los mismos privilegios, seguridades, libertades, è inmunidades, assi tocante à sus personas, como à sus negocios, que se han dado, ò se dieren por la una, ò la otra parte al Rey Christianissimo, ò Estados Generales de las *Provincias-Unidas* de los *Paises Baxos*, ò las Ciudades *Anseaticas*, ò qualquiera otro Reyno de Estado, que sea con todas las clausulas, y circonstancias en su favor, en tan pleno, amplio, y beneficioso modo, como si lo mismo fuera aqui con particularidad referido, y inserto.

Como consta, y parece del dicho Tratado de paz, y amistad entre esta Corona, y la *Gran Bretaña*, que por aora queda en mi poder, à que me refiero; y para que conste, en virtud del auto del Señor Don *Rodrigo Serrano y Trillo*, del Consejo de su Magestad, y su Regente en la Real Audiencia desta Ciudad; y de pedimento de Don *Brian Tanson*, Consul de la Nacion *Inglesa*, di el presente en *Sevilla* en quinze dias del mes de *Setiembre* de mil y seiscientos y setenta años. En testimonio de verdad,

Andres Perez de Mansilla.

respective Lands, Seas, Ports, Roads, Coasts, Territories, and Places belonging to each other, the same Privileges, Securities, Liberties and Immunities, as well touching their Persons, as their Trade, which have been given, or shall be given by one or the other Part, to the most Christian King, or the States-General of the *United Provinces* of the *Low-Countries*, or to the *Hans-Cities*, or any other Kingdom or State whatsoever, and that it be with all the Clauses and Circumstances in their favour, in as full, ample and beneficial a manner, as if the same was here particularly referred unto, and inserted.

As is manifest and appears from the said Treaty of Peace and Amity, between this Crown and that of *Great Britain*, which now remains in my Custody, to which I refer my self; and that it may be manifest, in virtue of the Act pass'd by Don *Rodrigo Serrano y Trillo*, of his Majesties Council, and his President in the Royal Court of this City; and at the Request of Don *Brian Janson*, I have given these Presents in *Sevilla*, the Fifteenth Day of the Month of *September*, One thousand six hundred and seventy. In Testimony of the Truth,

Andrez Perez de Mansilla.

YO

Testimonio.

YO *Antonio Gonçalez de Avellaneda*, Escrivano del Rey nuestro Señor, y de Relaciones en la Real Audiencia desta Ciudad, y Mayor del Juzgado de el Señor Licenciado Don *Tomàs de Oña*, Teniente de el Señor Assistente desta Ciudad, y de la Comission conservaturia de la Nacion *Inglesa*, de que es Juez conservador el Señor Doctor Don *Rodrigo Serrano y Trillo*, del Consejo de su Majestad, y su Regente en esta, Real Audiencia, doy fee que por parte de los Consules de la dicha Nacion desta Ciudad, y de las Islas de *Canaria*, se presentó ante dicho Señor Regente una peticion, que su tenor della, y de un testimonio de los privilegios concedidos à la dicha Nacion por la Magestad del Rey nuestro Señor Don *Felipe* Quarto, que està en gloria, y de la Comission que tuvo para la dica conservaturia el Señor Don *Geronimo del Pueyo Aranciel*, de el Consejo de su Majestad, Regente que fue desta Real Audiencia; y de la que ov tiene su Señoria el Señor D. *Rodrigo Serrano y Trillo*, del Consejo de su Majestad, su Regente en esta Real Audiencia, Juez Conservador de dichas Naciones, es como se sigue,

Certificate.

I *Anthony Gonçales de Avellaneda*, Notary for our Lord the King, and of the Reports in the Royal Court of this City, and Chief Notary of the Deputy-Governours Court of this City, Don *Thomas de Oña*, and of the Conservatoria of the *English* Nation, whereof Doctor Don *Rodrigo Serrano y Trillo*, of the Council of his Majesty, and his President in this Royal Court, is Judge Conservator, do Testifie, That on the Part of the Consuls of the said Nation of this City, and of the *Canary-Islands*, there was Presented before the said President a Petition, the Tenour whereof was a Testimony of the Privileges Granted to the said Nation by his Majesty the King our Lord Don *Philip* the Fourth (who is in Glory) and of the Commission which he had for the said Conservatorship. Don *Jeronimo* de *Pueyo Arancill*, of his Majesties Council, who was President of this Royal Court, and of that which now his Lordship Don *Rodrigo Serrano y Trillo*, of the Council of his Majesty, President of this Royal Court, and Judge Conservator of the said Nation, enjoys, which is as follows, *Viz.*

DON

PETICION.

DON *Adrian Tanson*, Consul de la Nacion *Inglesa*, que Comercia en esta Ciudad; y Don *Thomàs Colim*, Consul de la Nacion *Inglesa*, que Comercia en las Islas de *Canaria*, parecemos ante V. S. y dezimos, que en el tiempo que el Señor Don *Geronimo del Pueyo Araciel*, que fue del Consejo de su Magestad, y su Regente en la Real Audiencia desta Ciudad, siendo Juez conservador de dichas Naciones, se mandaron imprimir los privilegios concedidos à la dicha Nacion por su Magestad el Señor Rey Don *Felipe Quarto*, que està en gloria: los quales dichos privilegios se imprimieron a la letra de molde, y se mando se diesse testimonio de ellos, que es el de que hazemos demonstracion; y conviene que el testimonio de dichos Privilegios, con la Cedula de conservaturia, que de su Magestad tuvo el dicho Señor Don *Geronimo del Pueyo*, y la que V. S. nuevamente tiene, se imprima en letra de molde, y se nos entreguen los traslados à cada uno, autorizados del presente Escrivano, para que los tengamos en nuestro poder, para repetir entre los de las dichas Naciones. Por tanto a V. S. pedimos, y suplicamos assi lo provea, y

B

PETITION.

WE Don *Adrian Johnson*, Consul of the *English* Nation, which Trades in this City, and Don *Thomas Colins*, Consul of the *English* Nation, which Trades in the Islands of the *Canaries*, do appear before your Lordships and say, That at the time which Don *Geronimo* del *Pueyo Araciel*, was of his Majesties Council, and his President in the Royal Court of this City, being Judge Conservator of the said Nation, it was Ordered, that the Privileges granted to the said Nation by his Majesty King *Philip* the Fourth (now in Glory) should be Printed, which said Privileges were Printed, and Ordered a Certificate thereof should be given, which is what we here produce, and it being Convenient, that a Certificate of the said Privileges with the Cedula of Conservatorship, which said Don *Geronimo* del *Pueyo* had of his Majesty, and that which your Lordship lately had, be Printed, and delivered to each of us Copies Authorized by the present Notary, that we may have them in our Custody, to make them Known amongst those of the said Nations: Wherefore we desire of your Lordships, and humbly intreat, it may be so Provided and Com-

G mande:

mande: y pedimos juſticia, *&c.*

Don Adrian Tanſon.

Don Tomàs Colim.

manded: We ask Juſtice, *&c.*

Don Adrian Johnſon.

Don Thomas Colins.

B*Uenaventura Carreto*, en nombre de la Nacion *Ingleſa*, digo: Que ſu Mageſtad (Dios le guarde) fue ſervido de conceder a mis partes los privilegios contenidos en las tres Cedulas Reales que ante V. S. preſento; à quien pido, y ſuplico las obedezcan como ſu Mageſtad lo manda, y ſe me dé por el preſente Eſcrivano Teſtimonio del obedecimiento, con inſercion de las dichas Cedulas, las quales ſe impriman: pido juſticia, &c.

Bentura Carreto.

I *Buenaventura Carreto*, in the Name of the *Engliſh* Nation, declare, That his Majeſty (whom God preſerve) hath been Pleaſed to Grant at my Parties Requeſt, the Privileges contained in the Three Royal Cedulas, which before your Lordſhips I Preſent; which I Requeſt and Intreat may be obeyed, as his Majeſty Commands, and that there be given me by the Preſent Notary in Form, a Certificate of Compliance, with the Inſertion of the ſaid Cedulas, that it may be Printed: I ask Juſtice, *&c.*

Bentura Carreto.

Cedula de Privilegios concedidos por ſu Mageſtad a los *Ingleſes* que reſiden en *Sevilla*, *Sanlucar*, *Cadiz*, y *Malaga*.

DON *Phelipe*, por la Gracia de Dios, Rey de *Caſtilla*, de *Leon*, de *Aragon*, de las dos *Sicilias*, de *Jeruſalem*, de *Portugal*, de *Navarra*, de *Granada*, de *Toledo*, de *Valencia*, de *Galicia*, de *Mallorca*, de *Sevilla*, de *Cerdeña*, de *Cordova*, de *Corcega*, de *Murcia*, de *Jaen*, de los *Algarves*, de *Algecira*, de *Gibraltar*, de las Iſlas de *Canaria*, de las *Indias* Orientales, y Occidentales, Iſlas y *Tierra firme* del *Mar Oceano*, Archiduque de *Auſtria*,

Cedula of Privileges granted by his Majeſty to the *Engliſh*, which Reſide in *Sevilla*, *S. Lucar*, *Cadiz* and *Malaga*.

DON *Philip*, by the Grace of God, King of *Caſtille*, of *Leon*, of *Arragon*, of the Two *Sicilies*, of *Jeruſalem*, of *Portugal*, of *Navarre*, of *Granada*, of *Toledo*, of *Valencia*, of *Mallorca*, of *Sevilla*, of *Sardinia*, of *Cordua*, of *Corçega*, of *Murcia*, of *Jaen*, of the *Algarves*, of *Algecira*, of *Gibraltar*, of the Iſlands of the *Canaries*, of the *Eaſt* and *Weſt Indies*, Iſlands, and *Terra firma* of the Ocean, Archduke of *Auſtria*, Duke of *Bourgoña*,

Duque

Duque de *Borgoña*, de *Bravante*, y *Milan*, Conde de *Apsburg*, de *Flandes*, Señor de *Vizcaya*, y de *Molina*, &c.

Por quanto por parte de vos *Ricardo Antonio*, Consul de la Nacion *Inglesa*, por vos, y en nombre de los vassallos del Rey de la *Gran Bretaña*, me ha sido hecha relacion, que mediante las pazes que en este, y aquel Reyno estàn assentadas, residen, y comercian en el *Andaluzia*, principalmente en las Ciudades de *Sevilla*, *Sanlucar*, *Cadiz*, y *Malaga*, suplicandome sea servido de confirmaros los privilegios, excempciones, y facultades que os competen, assi por los capitulos de dichas pazes, como por las confirmaciones de ellas, y otras mercedes, è indultos que el Rey my Señor, mi Padre, que aya gloria, os diò, y otras qualesquiera que se os ayan dado por mis Coronas de los mis Reynos de *Castilla*, y de *Portugal*, mandando que se les guarden, y cumplan en todo, y por todo, sin ninguna limitacion, y à mayor abundamiento concederos los de nuevo, con las calidades, ampliaciones, condiciones, y declaraciones que mas os convengan, poniendo penas à quien los contradixere, y no los guardare: y para que se sepa los que son, se les dè copias de ellos, ò como la mi merced fuesse. Y teniendo consideracion a

of *Brabant*, and of *Milan*, Count of *Apsburg*, of *Flanders*, Lord of *Biscay*, and of *Molina*, &c.

For as much as on the Part of you *Richard Anthony*, Consul of the *English* Nation, by you, and in the name of the Vassals of the King of *Great Britain*, Information hath been given to me, that by means of the Peace, which between this and that Kingdom is Settled, those which do Reside and Commerce in *Andaluzia*, principally in the City of *Sevilla*, *San Lucar*, *Cadiz* and *Malaga*, humbly Intreat me that I would be pleased to Confirm to you the Privileges, Exemptions and Liberties which Appertain to you, as well by the Articles of the said Peace, as by the Confirmations of them, and other Favours and Indulto's, which the King my Lord and Father (now in Glory) Granted you, and all others whatsoever, that have been Granted by my Crowns of these my Kingdoms of *Castille* and of *Portugal*, Commanding that they be observed and accomplish'd in all, and through all, without any Limitation, and that they may be of more Force, to Grant them anew, with the Qualities, Amplifications, Conditions and Declarations, which may be most convenient for you, imposing Pu-

lo referido; y porque para las ocasiones que tengo de guerras aveis ofrecido servirme con dos mil y quinientos ducados de plata, pagados los mil de contado, y los mil y quinientos restantes para el mes de *Abril* deste año, de que el Licenciado *Francisco Moreno*, con intervencion de Don *Antonio de Campo-Redondo y Rio*, Cavallero del Orden de *Santiago*, del mi Consejo, y Camara, y del de Hazienda, en vuestro nombre, y en virtud de poder vuestro otorgò escritura de obligacion en forma, ante *Juan Cortès de la Cruz*, mi Escrivano, lo he tenido por bien, y por la presente de mi proprio motu, y cierta ciencia, y poderio Real absoluto, de que en esta parte quiero usar, y uso, como Rey, y Señor natural, no reconociente Superior en lo temporal, confirmolo, y apruebo los privilegios de excempciones, y facultades que os competen, assi por los capitulos de las dichas Pazes, como por las confirmaciones dellas, y las demàs mercedes, indultos, que el Rey mi Señor, mi Padre, os diò, y otras qualesquiera que se ayan dado por mis Coronas de *Castilla*, y *Portugal* a los dichos Vassallos en todo, y por todo, como en ello, y en cada cosa, y en parte dello se especifica, contiene, y declara, para que

nishments upon whom shall contradict them, and not observe them; and that it may be known what they are, that there be given Copies of them, of what Favour I have Granted them, having a due Regard to the aforesaid, and because that for the Occasions which I have of Wars, you have offered to assist me with Two thousand five hundred Ducats of Silver, Paying One thousand down, and the other Thousand five hundred remaining, in the Month of *April*, of this present Year, for which Don *Francisco Moreno*, with the Interventi-on of Don *Antonio de Campo-Redondo y Rio*, Knight of the Order of St. *James*, of my Privy Council, and of my Exchequer, in your Name and by virtue of your Power, pass'd a Writing or Obligation in Form, before *John Cortez de la Cruz* my Notary, I have thought fit, and by these Presents, of my own proper Motive, certain Knowledge, and Royal and Absolute Power, which in this part I will use, and do use, as King and Natural Lord, not acknowledging any Superior in Temporals, I confirm and approve the said Privileges of Exemptions, and Liberties which appertain to you, as well by the Articles of the said Peace, as by the Confirmations of

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ſean firmes, eſtables, y valederos, y ſe os obſerven, guarden, y cumplan, porque mi intencion, y voluntad deliberada es, que todos los de la dicha Nacion gozeis, y gozen de ellos, ſin ninguna limitacion. Con calidad, que en el tiempo que reſidieren en la *Andaluzia* los dichos *Ingleſes*, à vos, ni a ellos no ſe os pueda encargar ningun Oficio, ni carga publica, ni concegil, Tutelas, Curadurias, Receptorias, Theſorerias, aunque ſean de Alcavalas, y millones, y otros ſervicios que toquen à mi Real Hazienda; ni tampoco ſe os puedan pedir preſtamos, ni donativos, ni que tomeis juros, ni ſus rentas, Cavallos, ni Eſclavos.

Que no ſe les pueda encargar Oficio, ni carga publica, ni concegil.

them, and the reſt of the Favours, Indulto's, which the King my Lord and Father Granted you, and any others whatſoever, which have been Granted by my Crowns of *Caſtille* and *Portugal*, to the ſaid Vaſſals in all, and through all, as therein, and in every thing, and in Part thereof is Specified, Contained and Declared, that they may be Firm, Stable, and Valid to you, and be obſerved to you, kept and fulfilled, becauſe that my Intention and deliberate Will is, that all thoſe of the ſaid Nation may enjoy, and do enjoy them without any Limitation, with Condition, that during the time they ſhall reſide in *Andaluzia*, the ſaid *Engliſh* may not be put upon any Office, or in any publick Poſt, nor made Guardians, Truſtees, nor Collectors, altho' they may be of the Duties of *Alcavalas*, and *Millones*, or other Duties which relate to my Royal Treaſury; nor ſhall they demand from you Loans, or Donatives, nor oblige you to Farm any Rents, nor take your Horſes or Slaves.

Comercio libre.

Y por os hazer mas merced, en conformidad de lo aſſentado en las dichas Pazes, quiero, y permito que podais, y puedan tratar, y Comerciar libremente, y vender vueſtras mercaderias, y frutos,

Free Trade.

And to do you further Favour in Conformity of what is Capitulated in the ſaid Peace, I Will and Permit that you may, and do Trade and Commerce freely, and Sell your Merchandizes

tos, y comprar los de mis Reynos, y ſacarlos de ellos, guardandoſe lo diſpueſto por las leyes, y pragmaticas que deſto hablan, y pagando à mi Real Hazienda los derechos que ſe debieren pagar, prohibiendo, como prohibo, y mando, que no ſe os tome por fuerça, ni ſe os ſaquen ningunas mercaderias trigo, ni cevada, aunque ſea para apreſto de mis Armadas, Flotas, y Galeones, ni por Aſſentiſtas, ni Eſtanqueros; y los dichos privilegios ayan de ſer en quanto al trigo, y cevada, conforme a la taſſa; y en quanto a las demàs coſas, y mercaderias, aquello en que os convinieredes, y concertaredes, ſin ſacarlas de vueſtro poder haſta averos pagado, y ſin que por razon de ello ſe aya de dar lugar a que ſe os hagan moleſtias, y vejaciones.

and Goods, and Buy thoſe of my Kingdoms, and carry them thence, obſerving what is Ordained by the Laws and Decrees that Treat thereof, Paying into my Royal Treaſury the Duties that ought to be Paid, Prohibiting as I do Prohibit, and Command that they do not take from you by Force any Merchandizes, as Wheat or Barley, although it be for Diſpatch of my *Armadas*, Fleets or Galloons, neither for the *Aſſentiſtas* nor *Eſtranqueros*, and the ſaid Privileges ſhall be as to Wheat and Barley, according to the Tax; and as to other things and Merchandizes, as you ſhall Covenant and Agree for, without taking them from you till they have Paid you for them, and that they ſhall not, upon the account aforeſaid, give you any manner of Trouble or Vexation.

Que no ſe pueda poner precio en el peſcado ſeco, y ſalado.

Y porque muchos de voſotros tratais en traer a los Puertos de *Andaluzia*, Ciudad de *Sevilla*, y otras partes mucha cantidad de bacallao, y otros generos de peſcado ſeco, y ſalado, por ſer los mantenimientos mas neceſſarios que ay, y ſe os hazen muchas coſtas, y vejaciones; quiero, y mando que ſe os guarden la ordenança de la Ciudad de *Sevilla*, en que ſe diſpone que a los que entran con peſcado ſeco,

That there may not be put a Price upon Dry Fiſh, and Salted.

And becauſe that many of you Trade in bringing to the Ports of *Andaluzia*, City of *Sevilla*, and other parts, a great quantity of Bacallao, and other kinds of Fiſh Dry and Salted, which being the moſt neceſſary Proviſions that can be, and Creates you a great deal of Coſt and Trouble, I Will and Command that you enjoy the Cuſtom of the City of *Sevilla*, in which it is Ordered that thoſe which

y ſala-

That there may not be put a Price upon Dry Fiſh, and Salted.

y ſalado no ſe pueda poner poſtura, antes ſe les permita vender al precio que quiſieren, ſin que ſea neceſſario Manifeſtarlo mas que a los Miniſtros que cobran mis rentas Reales; y ſi los Navios en que ſe traxere dicho bacallao fueren grandes, que no puedan ſubir el rio arriba, y ſe ondeare en barcos, el Juez del Almirantazgo, ni otro alguno, no pueda poner en los dichos barcos guardas a coſta de los dueños de ellos. Y aſſimiſmo mando, que en caſo de conſtar que el dicho peſcado eſtà podrido, y no ſe puede gaſtar, ſe aya de quemar, ò eche al agua, ſin que por razon deſto ſe pueda hazer, ni haga cauſa a los dueños, ò perſonas que lo vendieren, ni prenderlos, ni denunciarlcs.

Y ſi de los Navios en guc veniere ſe ondeare en barcos, no ſe les pongan guardas a ſu coſta.

Y en caſo de conſtar que eſta podrido, ſe eche al agua, ſin hazerles cauſa por ello.

arrive with any Fiſh Dry and Salted, there may not be impoſed any Rate, but that they Sell at the Price they will, without that it be neceſſary that they manifeſt it more than to the Miniſters which recover my Royal Revenues, and that if the Ships in which they bring the ſaid Bacallao be great that they cannot come up the River, and ſhall unload them in Barks, the Judge of the Admiralty or any other may not put in the ſaid Barks, any Guards at the Coſt of the Owners of them. In like ſort I Command that in caſe it appears that the ſaid Fiſh is Rotten, and can not be ſpent, it be burnt or caſt into the Sea, without that by reaſon thereof, there may be made any Proceſs againſt the Owners, or Perſons that Sold it, or be Impriſoned or Informed againſt.

If the Ship in which they come ſhall unload them in Barks, they may not put any Guards at your Coſts.

In caſe it appears to be rotten, may be caſt into the Sea, without that therefore be made any Proceſs againſt them.

Que en las cauſas que ſe ſiguieren contra ellos no ſe prendan.

Y porque el Adminiſtrador de los Almoxarifazgos, y otros diferentes derechos, que ſe cobran de los frutos, y mercaderias, han introducido, que quando alguna ſe denuncia, el prender a la Perſona que ſe mueſtra parte, de que ſe ſigue a los hombres de negocios mucho deſcredito, coſtas, y vejaciones: es mi voluntad, y mando, que en las dichas denunciaciones ſolo ſe proceda contra las mercaderias, y no contra

And becauſe that the Adminiſtrator of the Almonarifargos, and divers other Duties, which are Recovered on Goods and Merchandizes, have been uſed upon Information given, to Seize the Perſon they Suſpect, which to Men of Trade occaſions much Diſcredit, Coſts and Vexations: My Will is, and I Command, that upon the ſaid Informations, they only Proceed againſt the Merchandizes, and

That in caſe of a Law Suit againſt them, they may not be impriſoned.

las

las Perſonas, permitiendoles, como les permito, que puedan hazer, y hagan ſus defenſas en las dichas vejaciones.

not againſt the Perſons, permitting them, as I do permit them, that they may make, and do make their Defences againſt the ſaid Vexations.

Que no ſe les moleſte por materia de la Religion, ni ſe altere el capitulo de las pazes, que habla ſobre eſto.

Y porque aſſimiſmo conforme a un capitulo de las dichas pazes, que trata en materia de la Religion, ſin embargo que en algunos pleytos ſe ha intentado declaren ſi ſon Catolicos Romanos, ò no, eſcuſandoſe de dar fee en los juramentos que hazen como partes, y como teſtigos; mando aſſimiſmo, que en quanto a eſto no ſe aya de tratar, ni trate coſa alguna con los naturales del dicho Reyno, ſino que ſe guarde, y cumpla la dicha condicion, ſin que ſe os haga ſemejantes preguntas, dando à los juramentos que hizieredes en juizio, y fuera del, la fee, y credito que ſe diera ſi fueredes *Eſpañoles*, ſin que ſobre eſto recibais vejaciones, ni moleſtias, ni ſe os pueda hazer agravio alguno.

That they be not moleſted for matter of Religion; nor ſhall the Article of Peace, which ſpeaks thereabout, be altered.

And whereas, according to One Article of the ſaid Peace, which treats in matter of Religion, notwithſtanding that in ſome Law Suit, it hath been endeavoured that they declare, whether they be Roman Catholicks, or not, Excuſing, giving credit to the Oath which they make, as being Parties, or as Witneſſes, I Command therefore, that in thoſe Matters, they ſhall not Meddle with the Natives of the ſaid Kingdom: But that the ſaid Condition be fully Obſerved, without making them any ſuch Queſtions, and to the Oath you ſhall Tender them in Court, the ſame Faith and Credit ſhall be given, as if they were Natural *Spaniards*, without that upon this Account, they are Moleſted, or Troubled or receive any Grievance.

Que los libros de ſu contratacion no ſe ſaquen de ſu poder.

Y porque para juſtificacion de algunas cauſas los Juezes, y Juſticias pretenden que los mercaderes exhivan los libros de ſus contrataciones, y ſobre ello reciben vejaciones, y agravios; quiero, y mando que los libros de los mercaderes de la dicha nacion no ſe ſaquen de ſu poder por ninguna cau-

That their books of Trade be not taken from them.

And by reaſon that for Juſtification of ſome Cauſes, the Judges and Juſtices pretend, that the Merchants ſhould Exhibit their Books of Trade, and thereupon they receive Vexation and Trouble, I Command and Will, that the Books of the Merchants of the ſaid Nation be not taken from

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ſa que ſea, ſino que los tengan de manifieſto en ſus caſas, para ſacar la partida que ſe ſeñalare, ſin pedirles otras, ni poderles ſacar otros papeles ningunos, pena que el que contraviniere a ello, ſerà caſtigado conforme a derecho.

Que no ſe puedan viſitar las caſas de los mercaderes, ni pedirle los deſpachos de las mercaderias.

Y porque aſſimiſmo los mercaderes deſpachan las mercaderias en la Aduana de la Ciudad de *Sevilla*, de todos los derechos, que por ſer muchos ſe haze una hoja, y eſta và firmada, y rubricada de todos los Miniſtros, y ſe queda en poder del Alcayde del Aduana, porque en ſu virtud dexa ſalir las mercaderias que vàn en fardos, pacas, baules, y caxas; y deſpues de averlas ſacado, y pueſtolas en ſu caſa, en ſus almacenes, el Guarda mayor del Aduana, y los Miniſtros del Medio por Ciento os viſitan las caſas, y la ropa, haziendoos moleſtias, y vejaciones, pidiendoos los deſpachos, conſtandoles que no los pueden tener, por averlos dexado en poder de dicho Alcayde del Aduana. Prohivo, y mando, que no ſe puedan viſitar las caſas de los dichos mercaderes, ni pedirles, ni pidan los deſpachos que no quedan en ſu poder; conque eſto ſe aya de entender, y entienda en las caſas que eſtàn de los muros a dentro de la dicha Ciudad.

them, but that they Produce them in their own Houſes, to take out the Article which ſhall be Appointed, without Demanding others, nor may be taken from them any other Papers, upon Puniſhment of him that ſhall Contravene herein, to be Chaſtiſed according to Law.

That the Merchants Houſes ſhall not be viſited, nor demanded the Diſpatch or Entry of their Goods.

And becauſe likewiſe the Merchants enter their Goods in the Cuſtom-houſe of the City of *Sevilla*, of all the Duties, which, becauſe they are many, is made upon One Sheet of Paper, and Firmed and Signed by all the Officers, and remains in Poſſeſſion of the Warehouſe-Keeper of the Cuſtom-houſe, that by Virtue thereof, he may Deliver ſuch Goods as go in Bales, Packs, Trunks and Cheſts, and after they have taken them out, and put them in their Houſes, and Warehouſes, the Head-Waiter of the Cuſtom-houſe, and the Officers of the half *per Cent.* ſhall not Search your Houſes, nor Goods, cauſing you Trouble and Vexation, asking of you the Diſpatches, it being Manifeſt that you cannot have them, having left them in the Power of the ſaid Head-Waiter. I Prohibit therefore and Command, that the Houſes of the ſaid Merchants, ſhall not be Viſited, nor be Asked of them the Diſpatches of their Goods, which doth not re-

Y porque se sepa los que sois de la dicha Nacion *Inglesa*, se os aya de dar copias de los dichos privilegios, y excempciones que os tocaren, y os estuvieren concedidos, assi por los capitules de las dichas pazes, como en otra qualquiera manera; y para execucion, y cumplimiento de todo lo referido, mando a los de mi Consejo, y a los demàs mis Consejeros, Juntas, ye Tribunales de mi Corte, y à los Presidentes, y Oydores de las mis Audiencias, Alcaldes, Alguaziles de la mi Casa, y Corte, y Chancillerias; y al Regente, y Juezes de la mi Audiencia de Grados de la Ciudad de *Sevilla*, y Alcaldes mayores de la Quadra de ella, y a todos los Corregidores, Assistente, Governadores, Alcaldes mayores, y ordinarios, assi de las dichas Ciudades de *Sevilla*, *Cadiz*, y *Malaga*, y de *Sanlucar* de *Barrameda*, como de todas las demàs Ciudades, Villas, ye Lugares destos mis Reynos, y Señorios, y a otros qualesquiera Juezes, y Justicias de ellos, de qualquier calidad, y condicion que sean, à quien principal, ò accidentalmente tocare en qualquier manera el cumplimiento de todo lo contenido en esta mi carta, que luego que fueren requeridos con ella, ò con su traslado, signado de Escrivano Pub-

main in their Custody, so that this is to be understood, and is understood of the Houses which are within the Walls of the said City. And that it may be known, those who are of the said Nation, let Copies be given of the said Privileges, and Exemptions which Concerns you, and were Granted you, as well by the Articles of the said Peace, as in any other Manner whatsoever, and for the Execution and Accomplishing of all the aforesaid, I Command those of my Privy-Council, and the rest of my Counsellors, Juntas, and Tribunals of my Court, and the Presidents, and Justices of my Courts, as also the Judges, and Justices of the Peace belonging to my House, Court, and Chancery, and the Regent, and Judges of my Court *de Grados* in the City of *Sevilla*, and the Chief Magistrate of the Court thereof, and all Mayors, Governors, Magistrates, and other Inferior Officers, as well of the said Cities of *Sevilla*, *Cadiz*, and *Malaga*, and *San Lucar de Barrameda*, as of all other Cities, Towns, and Places of these my Kingdoms, and Dominions, and Judges, and Justices thereof, of whatever Quality and Condition they may be, to whom principally or accidentally it shall Concern in any Manner whatsoever,

lico

lico (que ſe le ha de dar tanta fee, como al original) cada uno en la parte que le tocare la guarden, y cumplan, y hagan guardar, cumplir, y executar en todo, y por todo, como en ella ſe contiene, ſin que en todo, ò en parte ſe [illegible] a poner, ni ponga impedimento, ni otra duda, ni dificultad alguna, ir, ni venir contra ſu tenor, y forma, ni conſientan, ni dèn lugar a que ſe interprete, limite, ni ſuſpenda en todo, ni en parte, ni que ſe dèn en contrario Cedulas, Proviſiones, ni otros deſpachos, antes para ſu obſervancia en la parte que a cada uno tocare, provean, y dèn orden, ſe os dèn las que fueren neceſſarias, para Mayor firmeza de la merced que por eſta mi carta os hago. Y para que en todo tiempo eſta merced os ſea cierta, y ſegura ayais de tener un Juez conſervador para la *Andaluzia*, principalmente para las dichas Ciudades de *Sevilla*, *Malaga*, y *Cadiz*, y *Sanlucar* de *Barrameda*, à quien yo aya de dar comiſſion baſtante para la guarda, y cumplimiento de los dichos privilegios, libertades, y excempciones, el qual aya de apremiar, y compeler à todas, y qualeſquier perſonas, de qualquier ſuerte, y calidad que ſean, que tocaren à la dicha Nacion, aſſi en aquellas en que fueren

the Accompliſhing of all that is Contained in this my Letter, that as ſoon as they ſhall have been Required herewith, or with a Copy thereof Signed by a Publick Notary (to which ſhall be Given as much Credit as to the Original) each One for that Part which ſhall Concern him, Obſerve and Accompliſh, Cauſe to be Obſerved and Accompliſhed, in all, and through all, as is Contained therein, without that in the Whole, or in Part, there be put any Impediment, or other Doubt, or Difficulty that ſhall Oppoſe, or Contravene its Tenor, and Form, nor Conſent, or Allow that it be Interpreted, Limited, or Suſpended in Whole, or in Part, contrary to the Cedulas, Proviſions, or other Orders for Obſervance thereof, in that Part which ſhall relate to each of you, and that they Provide, and Give the neceſſary Orders for the greater Security of the Favour, which by this my Letter I Grant you, and that at all Times, this Favour may be Certain and Secure to you, that you may have a Judge Conſervator for *Andaluzia*, Principally for the ſaid Cities of *Sevilla*, *Malaga*, *Cadiz*, and *San Lucar de Barrameda*, to whom I ſhall give ſufficient Commiſſion for the Preſervation and Accompliſhing

reos convenidos, como en las que fueren actores, aunque las perſonas que los convinieren, y que dellos fueren convenidos, tengan qualeſquier Juezes privativos, aſſi por aſſiento, ò contrato que a yan hecho, como por preeminencias, ò immunidad que tengan, porque de las dichas cauſas ſolo ha de conocer privativamente el dicho Juez conſervador, y no otro Juez, ni Tribunal alguno, aunque ſea por via de exceſſo, ni injuſticia notoria, ò en otra qualquier manera, y forma; y el dicho Juez conſervador por aora lo ſea el Doct. Don *Franciſco* de *Vergara*, Juez de la mi Audiencia de los Grados de la Ciudad de *Sevilla*, el tiempo que aſſiſtiere en ella; y por ſu auſencia, el Licenciado Don *Franciſco* de *Medrano*, Juez de la miſma Audiencia, el qual para los negocios, y pleytos que ſe ofrecieren en las dichas Ciudades de *Cadiz*, y *Malaga*, y en *Sanlucar*, aya de ſubdelegar ſu Conſervaturia en la perſona que por la dicha Nacion ſe le propuſiere, para que las ſubſtancie haſta la concluſion, y ſe las remita para determinarlas; y de lo que èl determinare ſe aya de apelar al mi Conſejo, y no para otro Tribunal alguno. Y porque mi voluntad es, que cada uno en ſu tiempo tenga juriſdicion, y comiſſion

Juez conſervador, que conozca privativamente de ſus cauſas.

Que el Juez conſervador pueda ſubdelegar ſu comiſſion para los negocios que ſe ofrecieren en *Malaga*, *Cadiz*, y *Sanlucar*.

of the ſaid Privileges, Liberties and Exemptions (which may oblige and compel all and every Perſon whatſoever, of whatſoever Condition or Quality ſoever they be) as ſhall concern the ſaid Nation as well in thoſe in which they ſhall be Defendants, as in thoſe in which they ſhall be Plaintiffs, although the Perſon which ſhall Sue them, and of whom they ſhall be Sued, may have any other Special Judges whatſoever, as well by Covenant or Contract which they may have made, as by the Preëminences or Immunities which they may have, becauſe that of the ſaid Cauſes only the ſaid Judge Conſervator may take Cognizance, and no other Judge or Tribunal whatſoever, although it be for any Exceſs or Notorious Crimes, or in any other Manner and Form whatſoever; and the ſaid Judge Conſervator for the preſent, ſhall be Doctor Don *Franciſco de Vergara*, Judge of my Court of Degrees of the City of *Sevilla*, during the time that he ſhall Act therein, and in his abſence Doctor Don *Franciſco de Medrano*, Judge of the ſame Court, who for matters and Law Suits which ſhall offer in the ſaid Cities of *Cadiz*, *Malaga*, and *San Lucar*, may Subſtitute his Conſervatorſhip in the Per-

Judge Conſervator which ſhall take Cognizance ſpecial of your Cauſes.

That the Judge Conſervator may ſubſtitute his Commiſſion for Matters which ſhall offer in *Malaga*, *Cadiz*, and *San Lucar*.

priva-

privativa, para ampararos, y defenderos en todo lo contenido en esta mi carta, para que todo ello se guarde, y cumpla en la forma que os està ofrecido; he tenido por bien de encargar, como por la presente les encargo la proteccion, y amparo desto, y les mando vean esta mi carta, y las calidades, y condiciones, y preeminencias, y ampliaciones en ella contenidas: y todo ello lo hagan guardar, y cumplir, y executar en la forma, segun, y de la manera que en ella se contiene, y declara, sin consentir, ni dar lugar à que en todo, ni en parte se os pueda poner, ni ponga duda, ni dificultad alguna; y ante el dicho Don *Francisco de Vergara*, y en su ausencia ante el dicho Don *Francisco de Medrano*, y no ante otro Juez alguno privativamente en primera instancia ayan de passar, y seguirse todas las causas, y pleytos que sobre lo referido, y qualquier cosa, y parte dello se hizieren, y causaren, y la execucion, y castigo de los inobedientes; porq mi voluntades, que el conocimiento, y determinacion de todo lo contenido en esta mi carta privativamente les aya de tocar, y toque, procediendo en todo contra los que fueren culpados, executando en ellos las penas, que hallaren por derecho, reservando, como

son that shall be proposed by the said Nation, that they may be laid before, and remitted to him, for the Determination thereof; and of that which shall be so Determined by him, they may Appeal to my Council, and not to any other Tribunal, and because that my Will is, that each one in his time may have Jurisdiction and Special Commission to protect and defend you in all that is contained in this my Letter, and that all of it may be Observed and Accomplish'd in the Form that it is offered to you; I have thought fit to give charge, as by these Presents I give them Charge of the Protection and Defence thereof, and Command them, that they see this my Letter, and the Qualities, and Conditions, and Preeminences, and Amplifications, contained therein, and cause all of it to be observed and accomplished, in the Form accordingly, and in the manner that is contained therein, and declared; without consenting or allowing that in whole or in part, they may put, or do put any doubt or difficulty therein; and before the said Don *Francisco de Vergara*, and in his Absence before the said Don *Francisco de Medrano*, and not before any other Special Judge, the first Motion shall pass, and be fol-

reservo,

reservo, las apelaciones que de sus autos, y sentencias se interpusieren para el mi Consejo, y no para otro Tribunal alguno, sin que ninguno de los demàs mis Consejos, Tribunales, Audiencias, ni Chancillerias, ni otros ningunos Juezes, ni Justicias de los mis Reynos, y Señorios, de qualquier calidad que sea, se puedan entrometer, ni entrometan en ello, ni en el uso, ni exercicio de la jurisdicion privativa en la dicha primera instancia, que por esta mi Cedula les doy, por via de excesso, apelacion, ni otro recurso, ni manera alguna; a los quales, y à cada uno dellos inhivo, y he por inhividos de su conocimiento, y los declaro por Juezes incompetentes de èl, que para todo, y cada cosa, y parte dello les doy el poder mas cumplido, y la comission mas amplia que de derecho se requiere, y es necessario, con sus insidencias, y dependencias, anexidades, y conexidades, y que despues de ellos la dicha Nacion *Inglesa* de la dicha Ciudad de *Sevilla* pueda nombrar en la dicha comission uno de los Juezes de la dicha Audiencia, el que eligiere la dicha Nacion; y mando al Presidente, y los del mi Consejo de la Camara, que presentandose ante ellos el nombramiento suyo; llegado el caso de vacar la dicha

Inhivicion de Audiencias y Chancillerias, &c.

Que la Nacion *Inglesa* que reside en la Ciudad de *Sevilla* pueda nombrar en la comission uno de los Juezes de la Audiencia de dicha Ciudad.

lowed in all Causes and Law Suits for what relates thereunto, and cause the same to be Executed, and a Chastisement of the Disobedient; for such is my Will, and that the Cognizance and Determination of all that is contained in this Special Letter, shall concern them, and doth concern them, that they proceed against those that shall be Guilty, Executing on them such Penalties as the Law requires, reserving, as I do reserve to my Council, the Appeals, which by their Acts and Sentences they shall interpose, and not for any other Tribunal, without that any of the rest of my Councils, Tribunals, Courts or Chanceries, or any other Judges or Justices of these my Kingdoms and Dominions, of whatsoever Quality they be, may intermeddle, or do intermeddle therein, neither in the Practice nor Exercise of the Special Jurisdiction, which by this my Cedula I Grant them, be it by way of Excess, Appeal or any other recourse whatsoever; to whom and to each of them I inhibit, and hold for inhibited their Cognizance, and Declare them for Judges Incompetent thereof, for the whole, and in each thing, and part thereof, Granting them as full and complete Power, and most ample com-

Inhibition of Courts and Chanceries, &c.

com-

comission, por promocion, ò vacacion de los dichos D. *Francisco* de *Vergara*, ò Don *Francisco* de *Medrano*, ò en otra manera la despachen por ordinaria al que fuere nombrado en ella, en la forma, segun, y como poresta mi Carta se dispone: y para que mejor se cumpla desde luego les doy facultad, poder, y autoridad para que puedan subdelegar, y subdeleguen esta comission para los negocios, y pleytos que se ofrecieren en las dichas Ciudades de *Cadiz*, y *Malaga*, y en *Sanlucar de Barrameda*, en la Persona que por vosotros se les propusiere, para que substancie hasta la conclusion, y les remita los pleytos, y causas que huviere para determinarlos en la forma que les pareciere, y viere que conviene para la seguridad de lo contenido en esta mi Carta: y encargo al Serenissimo Principe Don *Baltasar Carlos* mi muy caro, y amado hijo; y mando a los Infantes, Prelados, Duques, Marqueses, Condes, Ricos hombres, Comendadores, y Subcomendadores, Alcaydes de los Castillos, y Casas fuertes, y llanas, y a los del mi Consejo, Presidente, y Oydores de las mis Audiencias, Alcaldes, Alguaziles de la mi Casa, y Corte, y Chancillerias; y à todos los Corregidores, Assistente, Governadores, Alcaldes

Que el Juez pueda Subdelegar su Conservaturia en la Persona que se le Sennalare por la dicha Nacion en las Ciudades de *Cadiz*, *Malaga*, y *Sanlucar*.

mission as in Law is required, and is necessary, with their Incidences, Dependencies, Annexities, and Connexities; and that after them the said *English* Nation of the said City of *Sevilla*, may Name in the said Commission, one of the Judges of the said Court, whom the said Nation shall think fit; and I command the President, and those of my Privy Council, that presenting before them his Name in case the said Commission be Vacant by Promotion or Vacation of the said Don *Francisco de Vergara*, or Don *Francisco de Medrano*, or in any other Manner, they shall be Dispatcht by him that shall be Named, in the Form accordingly, and as by this my Letter is Ordained: And for the better Performance hereof for time to come, I Grant them Power, Licence, and Authority, that they may Substitute, and do Substitute this Commission for Matters, and Law Suits, which shall offer in the said Cities of *Cadiz*, and *Malaga*, and *San Lucar de Barrameda*, in the Person which by you shall be Proposed to them, that they may examine Matters and bring them to Conclusion, and remit them the Law Suits and Causes you shall have, to Determine them in the Form, they shall think fit, and see Conveni-

That the *English* Nation which reside in the City of *Sevilla* may name in the Commission one of the Judges of the Court of the said City.

That the Judge Conservator may substitute his Conservatorship in the Person which shall appoint the said Nation in the Cities of *Cadiz*, *Malaga*, and *Sanlucar*.

caldes mayores, y ordinarios, y a otros qualesquier Juezes, y Justicias destos mis Reynos, y Señorios, que os guarden, y cumplan, y hagan guardar, y cumplir esta mi Carta, y la merced que por ella os hago, y contra su tenor, y forma no vayan, ni passen aora, ni en ningun tiempo, ni por alguna manera, perpetuamente, para siempre jamàs, ni consientan, ni dén lugar a que se os limite, ni suspenda en todo, ò en parte, todo ello, no embargante qualesquier leyes, y pragmaticas de estos dichos mis Reynos, y Señorios, ordenanças, estilo, uso, y costumbre de las dichas Ciudades de *Sevilla*, *Cadiz*, y *Malaga*, y de *Sanlucar*, y todo lo demàs que aya, ò pueda aver en contrario. Con lo qual para en quanto a esto toca, y por esta vez, aviendolo aqui por inserto, è incorporado, como si de verbo ad verbum lo fuesse, dispenso, y lo abrogo, y derogo, caso, y anulo, y doy por ninguno, y de ningun valor, y efecto, quedando en su fuerça, y vigor para en lo demàs adelante. Y de esta mi Carta ha de tomar la razon *Geronimo de Canencia*, mi Contador de Cuentas, de mi Contaduria mayor dellas, mi Secretario de la Media anata, à cuyo cargo esta la cuenta, y razon deste derecho; y declaro, que de esta

ent for the Security of what is Contained in this my Letter; and I encharge the most Serene Prince, Don *Balthasar Carlos*, my very Dear and Beloved Son, and Command the Infantes, Prelates, Dukes, Marquesses, Counts, Barons, Knights, Esquires, Governors of Castles, Fortresses, and Plains, and those of my Council, President and Judges of my Courts, Officers of my House, and Court, and Chancery, and all Mayors, Governors, Deputy Governors, Justices of the Peace, and other whatsoever Justices and Judges of my Kingdoms, and Dominions, that they Observe to you and Accomplish, and cause to be Observed and Accomplished this my Letter, and Favour, which I do Grant you, and against the Tenor and Form thereof, not to Go, nor Act now, nor at any Time, nor by any manner, perpetually, for ever, nor Consent, or Allow that they be Limited to you, or suspended in Whole, or in Part, all its Contents, whatsoever Laws, or Orders of these my Kingdoms, and Dominions, Ordinances, Stile, Use, and Custom of the said Cities of *Sevilla*, *Cadiz*, *Malaga*, and *San Lucar*, and all others, which they have, or may have, to the contrary notwithstanding, for as much as doth

C merced

merced aveis pagado el derecho de la Media anata, que importó treinta y cinco mil ciento y cincuenta y cinco Maravedis en plata, el qual aveis de pagar hasta en la misma cantidad de quinze en quinze años perpetuamente; y llegando el caso de cumplirse, no aveis de poder usar desta merced, sin que primero conste aver satisfecho este derecho; y tambien ha de pagar el Juez conservador que nombraren, del salario, ó ayuda de costa que gozare por la dicha ocupacion, antes de gozar della, de que ha de constar por certificacion de la Contaduria deste derecho. Dada en *Zaragoza* à diez y nueve de *Março* de mil seisscientos y quarenta y cinco años.

Yo el Rey.

concern these Presents, accounting it to be here inserted and Incorporated, as if it had been Word for Word, and of this my Letter *Geronimo de Canencia*, my Chief-Treasurer and Accountant, and my Secretary *de la Media Anata*, is to take cognizance, to whose charge is committed the Account of the said Duty; and I declare, that of this Favour, you have payed the Duty of *Media Anata*, which Imports Thirty and five thousand one hundred fifty and five Maravedis in Silver, which you are to pay every Fifteen Years perpetually, and that being complied with, you shall not have the Power to use this Favour without that it first appears that you have satisfied this Duty, and also that you pay the Judge Conservator you shall Name, the Salary which he shall enjoy by the said Occupation, which is to be manifested by Certificate from the Office of this Duty. Given in *Zaragoza*, the Nineteenth Day of *March*, in the Year, One thousand six hundred forty and five.

I the King.

YO *Antonio Carnero*, Secretario del Rey nuestro Señor, la hize escrevir por su Mandado.

Lic. Don *Juan Chumacero y Carillo.*

El Lic. Don *Antonio del Campo Redondo y Rio.*

Licenciado *Joseph Gonçalez*, Registrada.

Miguel de Olaragiar.

Tomè la Razon.

Geronimo de Canencia.

I *Anthony Carnero*, Secretary of the King our Lord, Ordered this to be Written by his Command.

Lic. Don *Juan Chamacero y Carrillo.*

El Lic. Don *Antonio del Campo Redondo y Rio.*

Dr. *Joseph Gonsales*, Register.

Miguel de Olaragiar.

Tomè la Razon.

Geronimo de Canencia.

Obedecimiento

EN la Ciudad de *Sevilla*, en doze dias del mes de *Abril* de mil y seiscientos y quarenta y cinco años, el Señor Licenciado Don *Francisco de Vergara*, del Consejo de su Magestad, y su Oydor en la Real Chancilleria de la Ciudad de *Granada*, aviendo visto la Real Provision, privilegio concedido à la Nacion *Inglesa*, que su Magestad fue servido de darles, conque su merced fue requerido por *Francisco Carreto*, en nombre de la dicha Nacion, su merced la tomò en su mano, besó, y puso sobre su cabeza, y dixo la obedecia, y obedeciò con el respeto, y acatamiento debido, y dixo, que està presto de hazer, y cumplir lo que su Magestad por ella le manda, y aceptò el nombra-

Obedience.

IN the City of *Sevilla*, the Twelfth Day of the Month of *April*, in the Year, One thousand six hundred forty five, Doctor Don *Francisco de Vergara*, of the Council of his Majesty, and his Judge in the Royal Chancery of the City of *Granada*, having seen the Royal Provision, and Privileges granted to the *English* Nation, which his Majesty hath been pleased to grant them, with which his Worship was required by *Francisco Carreto*, in the Name of the said Nation, his Worship took it in his Hand, kissed it, put it upon his Head, and said he Obeyed it, and doth Obey it with the Respect, and Reverence that is due to it, and says, That he is ready to do, and accomplish that which his

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miento de tal Juez conservador de la dicha Nacion, y lo firmò.

Majesty by it Commands, and accepts the Title of such Judge Conservator, and firmed it.

Lic. Don *Francisco de Vergara.*

Ante mi,

Fernando Infante Escrivano.

Lic. Don *Francisco de Vergara.*

Before me,

Fernando Infantes Notary.

Decreto de la Audiencia de *Sevilla.*

LUnes veinte y quatro de *Abril*, la Nacion *Inglesa*, Señores Governador, y Acuerdo General, Acuerdelo quando se ofreciere la Nacion.

Decree of the Court of *Sevilla.*

MUnday the Twenty Fourth of *April*, the *English* Nation, the Lords the Governor, and General Assembly, Ordered it to be Engrossed, when Offered by the said Nation.

Francisco Carrion de la Serna.

Francisco Carrion de la Serna.

EL REY.

Segunda Cedula de ampliacion, y confirmacion de Privilegios concedidos a la Nacion *Inglesa.*

LIcenciado Don *Francisco de Medrano*, Juez de la mi Audiencia de Grados, de la Ciudad de *Sevilla*; sabed, que por una mi Carta, y Provision de diez y nueve de *Março* deste año, hize merced à *Ricarte Antonio*, Consul de la Nacion *Inglesa*, y à los vassalles del Rey de *Inglaterra*, que residen, y comercian en el *Andaluzia*, principalmente en essa Ciudad, y en la de *Cadiz*, y en *Sanlucar de Barrameda*, los privilegios, excempciones, y facultades que les compèten, assi por los capitulos de

THE KING.

Second Cedula, amplifying and confirming the Privileges granted to the *English* Nation.

TO Doctor Don *Francisco de Medrano*, Judge of my Court of Degrees of the City of *Sevilla*; Know ye, that by One of my Letters and Decrees of the Nineteenth of *March*, of this present Year, I did grant (to *Richard Anthony*, Consul of the *English* Nation, and to the Subjects of the Kingdom of *England*, which Reside and Trade in *Andaluzia*, principally in this City, and in that of *Cadiz*, and in that of *San Lucar de Barrameda*) the Privileges, Exemptions and Licences, which apper-

las pazes, como por las confirmaciones, y otras mercedes, y indultos, que el Rey mi Señor mi Padre (que aya gloria) les diò, y con otras calidades, condiciones, preeminencias, y ampliaciones en la dicha provision declaradas, por aver ofrecido servirme con dos mil y quinientos ducados de plata, segun mas largo en ella, à que me refiero, se contiene; y una de las condiciones con que les hize esta merced fue, que les avia de nombrar, y conceder un Juez conservador para la *Andaluzia*, principalmente para las dichas dos Ciudades, y *Sanlucar de Barrameda*, à quien se aya de dar commission bastante para la guarda, y cumplimiento de los dichos privilegios, libertades, y excempciones, el qual pueda conocer de todas las causas civiles, y criminales, en que fueren reos convenidos, que contra ellos se intentaren, y ante èl ayan de passar, qualesquier pleytos, y causas, que tocaren a los dichos *Inglefes*, ò a otras qualesquier personas de qualquier calidad que sean, assi aquellos en que fueren reos convenidos, como en los que fueren actores, aunque las personas que los convinieren tengan qualesquier Juezes privativos, assi por assiento, ò contrato, que ayan hecho, como por pre-

Que las causas solo ha de conocer el Juez conservador, y no otro Tribunal alguno.

tain to them, as well by the Articles of the Peace, as by the Confirmation, and other Favours and Indultos, which the King my Lord and Father (now in Glory) granted them, and with the other Qualities, Conditions, Preëminences, and Amplifications in the said Decree declared, for having offered to serve me with Two thousand five hundred Ducats of Silver, according as more largely thereby doth appear, to which I refer my self, and One of the Conditions which I did grant them, was, That I would name and allow them a Judge Conservator for *Andaluzia*, principally for the said Two Cities, and *San Lucar de Barrameda*, to whom should be given sufficient Commission, for the observance and accomplishment of the said Privileges, Liberties and Exemptions, who should take cognizance of all Causes both Civil and Criminal, which should be brought against them, in which they were made Defendants, that before him should come all Law Suits, and Causes whatsoever which should concern the said *English*, or any other Persons whatsoever, of whatsoever Quality they may be, as well those in which they shall be Defendants, as in those in which they shall be eminen-

em'nencia, ò inmunidad que tengan, porque de las dichas causas solo ha de conocer privativamente el dicho juez conservador, y no otro Juez, ni Tribunal alguno, aunque sea por via de excesso, ò en otra qualquier forma, y manera, y que para los negocios, y pleytos que se ofrecieren en las dichas Ciudades de *Cadiz*, y *Malaga*, y en *Sanlucar*, aya de subdelegar su commission en la persona que por la dicha Nacion se le propusiere, para que las substancie hasta la conclusion, y las remita para determinar, y de lo que el dicho Juez determinare se ha de apelar para el mi Consejo, y no para otro Tribunal alguno, y que por aora lo seais vos por el tiempo que assistieredes en essa Audiencia; y por vuestra ausencia, y despues de vos, el que señalare la dicha Nacion en la dicha Ciudad de *Sevilla*; y porque mi voluntad es, que todo ello se les guarde, y cumpla en la forma que les està ofrecido, he tenido por bien de encargaros, como por la presente os encargo la proteccion, y amparo de esto, y os mando veais la dicha provision, y las calidades, preeminencias, y ampliaciones en ella contenidas, y todo ello lo hazed guardar, y cumplir en la forma, segun, y de la ma-

Plaintiffs, although the Persons that shall Sue them may have special Judges, as well by Agreement or Contract, which they may have made, by the Preëminence or Immunity which they may have, because of the said Causes, only shall take special Cognizance the said Judge Conservator, and no other Judge, or Tribunal, although it may be by way of Excess, or in any other Manner or Form whatsoever, and that for the Causes and Suits that shall offer in the said Cities of *Cadiz* and *Malaga*, and *San Lucar*, may be substituted their Commission in the Person, which by the said Nation shall be propos'd, that he may bring things to a Conclusion, and that they be remitted to him to Determine, and of that which the said Judge shall so Determine, they may appeal to my Council, and not to any other Tribunal, and that the time you shall Act in the said Court, you shall be Esteemed as such, and in your Absence, and after you, he whom the said Nation, in the said City of *Sevilla* shall appoint, and because that my Will is, that all this be observed, and accomplished in the Form as is express'd, I have thought fit to give Charge to you, and by this Present

That of the Causes the Judge Conservator, and no other Tribunal, shall take Cognizance.

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nera que en la dicha Proviſion, y en eſta mi Cedula ſe declara, ſin conſentir, ni dar lugar a que en todo, ni en parte ſe les pueda poner, ni ponga duda, ni dificultad alguna, y ante vos, y no ante otro Juez alguno en primera inſtancia ayan de paſſar, y ſeguirſe todas las cauſas, y pleytos que ſobre eſto, y qualquier coſa, y parte de ello ſe hizieren, y cauſaren; y conocer aſſimiſmo de todas las cauſas civiles, y criminales en que fueren reconvenidos, que contra ellos ſe intentaren; y ante vos han de paſſar qualeſquiera pleytos, y cauſas que tocaren a los dichos *Ingleſes* entre qualeſquier perſonas, de qualquier calidad que ſean, y la execution, y caſtigo de los inobedientes; porque mi voluntad es, que el conocimiento, y determinacion de todo lo contenido en la dicha Proviſion, y en eſta mi Cedula de ampliacion privativamente os aya de tocar, y toque, procediendo en todo contra los que fueren culpados, executando en ellos las penas que hallaredes por derecho, ſin que ningunos Tribunales, Audiencias, ni Chancillerias, ni otros ningunos Juezes, y Juſticias de los mis Reynos, y Señorios de la Corona de *Caſtilla*, de qualquier calidad que ſean, ſe pueda entrometer, ni entrometa

Que en primera inſtancia ayan de paſſar, y ſeguirſe los pleytos ante el Juez conſervador. Fecha en *Zaragoza* a 26. de *Junio*, de 1645.

do give you Charge of the Protection and Defence hereof, and Command you that you ſee the ſaid Decree, and the Conditions, Preëminences and Amplifications therein contained, and all of it be obſerved, and accompliſhed in Form, accordingly, and after the manner that in the ſaid Decree, and in this my Cedula is Declared, without conſenting, or allowing that in the whole or in part, may put or be put, any doubt or difficulty, and before you, and not before any other Judge, at the firſt Inſtance ſhall be brought and followed, all Cauſes and Law Suits, which thereupon, or any other thing or part thereof, ſhall be made, and cauſe Cognizance to be taken of all Cauſes Civil and Criminal, in which they ſhall be Proſecuted, or againſt them ſhall be attempted, and before you ſhall be brought whatſoever Law Suits and Cauſes which ſhall concern the ſaid *Engliſh*, between whatſoever Perſons, or whatſoever Quality they may be, and the Execution, and Chaſtiſement of thoſe that ſhall diſobey; becauſe that my Will is, that the Cognizance and Determination of all that is contained in the ſaid Proviſion, and in this my Cedula of Amplification, ſpecially ſhall and do

That in the firſt Inſtance ſhall be brought and followed Law Suits before the Judge Conſervator, made in *Zaragoza* the 26th of *June*, 1645.

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en ello, ni en el uſo, ni exercicio de la juriſdicion privativa en la dicha primera inſtancia, que por eſta mi Cedula os doy, por via de exceſſo, apelacion, ni otro recurſo, ni manera alguna, à los quales, y a cada uno dellos inhivo, y he por inhividos de ſu conocimiento, y los declaro por Juezes incompetentes dèl, que para todo, y cada coſa, y parte dello os doy el poder mas cumplido, y la comiſſion mas amplia que por derecho ſe requiere, y es neceſſaria, con ſus inſidencias, y dependencias, anexidades, y conexidades, y quedeſpues de vos, la dicha Nacion *Ingleſa* de la dicha Ciudad de *Sevilla* ha de poder nombrar en la dicha comiſſion uno de los Juezes de eſſa Audiencia, el que eligiere la dicha Nacion: y mando a los del mi Conſejo de la Camara, que preſentandoſe ante ellos el nombramiento ſuyo, llegado el caſo de vacar la dicha comiſſion por promocion, ò vacacion vueſtra, ò en otra manera, la deſpachen por ordinaria al que fuere nombrado en ella, en la forma, ſegun, y como en eſta mi Cedula ſe diſpone. Y para que mejor ſe cumpla todo lo contenido en la dicha Proviſion, y en eſta mi Cedula, os doy facultad, poder, y autoridad, para que podais ſubdelegar, y ſubdelegueis eſta

concern you, proceeding fully againſt thoſe that ſhall be Guilty, executing upon them the Puniſhments you ſhall find by Juſtice due to them, without that any of the Tribunals, Courts or Chancery, or any other Judges, or Juſtices of my Kingdoms and Dominions of *Caſtile*, of whatſoever Quality they may be, may intermeddle, or do intermeddle herein, neither in the uſe nor exerciſe of the ſpecial Juriſdiction in the ſaid Firſt Inſtance, which by this my Cedula I grant you, be it by way of Exceſs, Appeal, or any other Recourſe or Manner, to whom, and to each of you, I inhibit, and hold for inhibited their Cognizance, declaring you for Judges incompetent thereof, as for the whole, and every thing, and part thereof, and I grant you the moſt full and complete Power, and moſt ample Commiſſion, as by Law is required and neceſſary, with their Incidences, Dependencies, Annexities and Connexities, and that after you, the ſaid *Engliſh* Nation of the ſaid City of *Sevilla*, may have power to name in the ſaid Commiſſion, One of the Judges of this Court, whom the ſaid Nation ſhall think fit, and I command thoſe of my Privy Council, that preſenting before them his Name, the ſaid Com-

comiſſion,

comiſſion, para los negocios, y pleytos que ſe ofrecieren en las dichas Ciudades de *Cadiz*, *Malaga*, y en *Sanlucar*, en la perſona que por la dicha Nacion ſe propuſiere, para que ſubſtancie haſta la concluſion, y os los remita para determinarlos en la forma que os pareciere, y vieredes que conviene para la ſeguridad de la dicha Proviſion, y que todo ſe guarde en la forma que por ella ſe diſpone, y manda, no embargante qualeſquier leyes, y pragmaticas de los dichos mis Reynos, y Señorios, ordenanças, eſtilo, uſo, ye coſtumbre, y otra qualquiera coſa que aya, ò pueda aver en contrario : con todo lo qual, para en quanto a eſto toca, y por eſta vez diſpenſo, y lo abrogo, y derogo, caſo, y anulo, y doy por ninguno, y de ningun valor, y efecto, quedando en ſu fuerça, y vigor para en lo demàs adelante. Fecha en Zaragoza à veinte y ſeis de *Junio* de mil y ſeiſcientos y quarenta y cinco años.

Yo el Rey.

Por Mandado del Rey nueſtro Señor.

Antonio Carnero.

miſſion being vacant by Promotion or otherwiſe, him who ſhall be named, ſhall have his Diſpatches in due Form, according as in this my Cedula is ordained, and that it may the better be accompliſhed all that is contained in the ſaid Decree, and in this my Cedula, I grant you Licence, Power and Authority, that you may ſubſtitute, and do ſubſtitute this Commiſſion for Matters, and Law Suits that ſhall offer in the ſaid Cities of *Cadiz*, *Malaga* and *San Lucar*, in the Perſon that by the ſaid Nation ſhall be propoſed to you, that he may conclude Matters, you remitting to him the Termination thereof, in the Form you ſhall think fit, ſuch as may be for the Security of the ſaid Decree, and that all may be obſerved in the Form, which by it is ordained and commanded, any Laws and Pragmaticas of my ſaid Kingdoms, and Dominions, Ordonnances, Stile, Uſe and Cuſtom, or any thing whatſoever, to the contrary notwithſtanding: All which, and for as much as relates to theſe Preſents, I diſpenſe with, abrogate, and derogate, make void and annul, count for nothing, and of no value and force, and that theſe Preſents remain in full Force and Vigor for the future. Done in

DON

Zaragoza, the Twenty sixth of *June*, in the Year, One thousand six hundred forty and five.

I the King.

By Command of our Lord the King.

Antonio Cannero.

DON *Phelipe*, por la Gratia de Dios, Rey de *Castilla*, de *Leon*, de *Aragon*, de las dos *Sicilias*, de *Jerusalem*, de *Navarra*, de *Granada*, de *Toledo*, de *Valencia*, de *Galicia*, de *Mallorca*, de *Sevilla*, de *Cerdeña*, de *Cordova*, de *Corcega*, de *Murcia*, de *Jaen*, de los *Algarves*, de *Algecira*, de *Gibraltar*, de las Islas de *Canaria*, de las *Indias* Orientales, y Occidentales, Islas y *Tierra firme* del *Mar Occeano*, Archiduque de *Austria*, Duque de *Borgoña*, de *Bravante*, y *Milan*, Conde de *Apsburg*, de *Flandes*, de *Tirol*, de *Barcelona*, Señor de *Vizcaya*, y de *Molina*, &c.

Que se guarden y cumplan los capitulos de pazes.

Por quanto por una mi Carta, y Provision de diez y nueve de *Março* deste año hize merced à vos los vassallos del Rey de la *Grand Bretaña*, que residis en el *Andaluzia*, de approbar, y confirmar los Privilegios, Cedulas, y Franquezas, que os estàn concedidos por las Coronas de *Castilla*, y *Portugal*, y

DON *Philip*, by the Grace of God, King of *Castille*, of *Leon*, of *Arragon*, of the Two *Sicilies*, of *Jerusalem*, of *Navarra*, of *Granada*, of *Toledo*, of *Valencia*, of *Galicia*, of *Majorca*, of *Sevilla*, of *Sardinia*, of *Corcega*, of *Murcia*, of *Jaen*, of the *Algarves*, of *Algecira*, of *Gibraltar*, of the Islands of *Canary*, of the *Indies East* and *West*, Islands and *Terra firma* of the Ocean Sea, Archduke of *Austria*, Duke of *Borgoña*, of *Brabant*, and *Millan*, Count of *Absburg*, of *Flanders*, of *Tirol*, of *Barcelona*, Lord of *Biscay*, and *Molina*, &c.

That the Articles of Peace be kept and observed.

For as much as by my Letter and Decree of the Nineteenth of *March*, of this present year, I did Grant to you, the Subjects of the King of *Great Britain*, who reside in *Andaluzia*, a Confirmation and Approbation of the Privileges, Cedulas, and Franchises which were Granted you by the Crowns

mandè que se os guardassen, y cumpliessen los capitulos de las pazes hechas entre mi Corona, y la de *Inglaterra*; y por otra mi Cedula de veinte y seis de *Junio* del mismo año, os nombrè Juez conservador, para que conociesse de todas las causas civiles, y criminales, assi en las que fueredes actores demandantes, como en las de reos convenidos, y con otras calidades, ampliaciones, y preeminencias en las dichas Provision, y Cedula contenidas, segun en ellas, a que me refiero, se contiene.

of *Castille* and *Portugal*, and Commanded that they should be kept, and observed to you the said Articles of Peace, made between my Crowns and that of *England*, and that by my other Cedula of the Twenty sixth of *June* of the same year, you may Name a Judge Conservator, that shall take Cognizance of all your causes Civil and Criminal, as well in those in which you shall be Plaintiffs, as in those in which you shall be Defendants, with other Conditions, Amplifications, and Preheminences, in the said Decree and Cedula contained, referring my self to the Tenor thereof.

Y aora por vuestra parte me ha sido hecha relacion, que aviendo presentado la ultima Cedula en el Acuerdo de la Audiencia de los Grados de la Ciudad de *Sevilla*, se mandò dar traslado al Lic. D. *Juan* de *Villalva*, mi Fiscal de ella, y le tiene en su poder desde quinze de *Julio*, sin aver respondido hasta aora, con lo qual se ha embarazado, y detenidò el uso, y cumplimiento de las dichas Provision, y Cedula, y se os causa grave perjuizio, y daño; y aunque segun lo dispuesto por ellas el Juez conservador podrà conocer de todas las causas civiles, y criminales, assi siendo actores, como reos, con qualquier persona que os tra-

And now on your part, relation having been made to me, that having Presented the last Cedula in the Assembly of the Court of Degrees of the City of *Sevilla*, a Copy thereof was ordered to be given to Don *Juan de Villalva*, my Fiscal of the said Court, who kept it in his Possession from the Fifteenth of *July*, without having Answered it till now, which hath hindred and deprived you of the Benefit and Performance of the said Decree and Cedula, to your great Prejudice, and Detriment, although by what is ordained thereby, the Judge Conservator ought to take Cognizance of all Causes, Civil and Criminal, as well

tassedes,

taſſedes, vueſto intento es gozar ſolamente del dicho privilegio, y Juez conſervador, quando los pleytos fueren entre los de vueſtra Nacion, ora ſea is actores, ora reos, y las cauſas quier ſean civiles, ò quier criminales; y quando los pleytos fueren con *Eſpañoles*, ò con otras perſonas de diferentes Naciones, el Conſervador ha de conocer tan ſolamente de las cauſas en que fueredes civil, ò criminalmente reos conveni dos, y no quando fueredes actores demandantes; ſuplicandome, que porque en eſta parte os aveis apartado, y deſiſtido del dicho privilegio ante *Alonſo de Alarcon*, ſea ſervido de declarlo aſſi, con las condiciones, ampliaciones, y preeminencias, y las calidades que mas os convengan, y fueren neceſſarias, para mayor fuerça de lo referido, ò como la mi merced fueſſe; y porque para las occaſiones que tengo de guerras aveis ofrecido ſervirme con mil y quinientos ducados en plata doble, pagados a ciertos plazos, lo he tenido por bien; y por la preſente quiero, y es mi voluntad, y declaro, que quando los pleytos fueren entre los de vueſtra Nacion, ora ſeais actores, ò reos, y las cauſas fueren civiles, y criminales, aveis de gozar ſolamente del dicho privilegio, y ſus calidades; y quando

being Plaintiffs as Defendants, with any Perſon whatſoever you ſhould Trade with, your intent being only to injoy the ſaid Privileges and Judge Conſervator, when there ſhould be any Law Suits between thoſe of your Nation, whether you be Plaintiffs, or Defendants, and whether the Cauſes be Civil, or whether they be Criminal, and when the Suits ſhall be with *Spaniards*, or with other Perſons of different Nations, the Conſervator is to take Cognizance ſo far only of the Cauſes in which you ſhall be civily or criminally Proſecuted as Defendants, and not in which you ſhall be Plaintiffs, humbly intreating me, that whereas in this particular you have waved and deſiſted from the ſaid Privilege before *Alonſo de Alarcon*, that I would be pleaſed to declare it, with the Conditions, Amplifications, and Preheminences, as may be moſt convenient for you, and ſhall be moſt neceſſary for the greater Force of what is inſiſted, of what my Pleaſure ſhall be; and becauſe that for the Service of the Wars, you have offered to aſſiſt me with One thouſand five hundred Ducats in Silver, payable at certain prefixed days, I have thought fit, and by theſe Preſents I Will and Declare, That when the Suits

los dichos pleytos fueren con *Españoles*, ò con otras personas de diferentes Naciones, el Juez Conservador aya de conocer, y conozca solamente de las causas en que fueredes civil, ò criminalmente reos convenidos, y no quando fueredes actores demandantes.

shall be between those of your Nation, whether you be Plaintiffs or Defendants, or the Causes shall be Civil or Criminal, you shall enjoy the said Privilege and its Conditions: And when the said Suits shall be with *Spaniards*, or with other Persons of divers Nations, that the Judge Conservator shall take Cognizance, and do take Cognizance only of the Causes in which you shall be civilly or criminally Defendants, and not when you shall be Plaintiffs.

The Judge Conservator to take Cognizance of Causes between *Englishmen*, both Plaintiffs and Defendants; but when the Cause is with *Spaniards*, or other Nations, then only to take Cognizance in behalf of the *English* as Defendants.

Que los derechos de Sisas de los servicios de millones, que se cobran del vacallao seco, y frescal, y demas generos, se cobre de los consumidos.

Y porque los derechos de las Sisas de los servicios de millones, que se impusieren en el vacallao seco, y frescal, sardina arenque, y salmones, y otros generos de pescado, fresco, y salado, se mandò que se cobrassen de los que lo consumen; y los Arrendadores de estos derechos, y los Juezes que conocen destas causas os hazen grandes agravios, y os obligan a que pagueis docientos maravedis de cada quintal de vacallao, y de los otros generos al respeto que estàn concedidos; y en llegando los Navios a los Puertos de *Malaga*, *Cadiz*, y *Sanlucar* os obligan a que declareis la cantidad de pescado que traeis, haziendoos cargo de todo por Mayor, y obligandoos a la paga, como por maravedises de mi aver, y a los quatro meses os opremian a

That the Duties of Millones which are recovered of Bacallao, dry and fresh, and other Goods be recovered of those that consume them.

And because that the Duties of Excise of Millones, which are imposed on Bacallao Dry and Fresh, Pilchards, Herrings, and Salmon, and other kinds of Fish, Fresh and Salted, it was ordered that it should be recovered of those which consume it; and by reason the Farmers of these Duties, and Judges which take Cognizance of these Causes, do occasion you great Grievances, and oblige you to pay Two hundred Maravedis for each Quintal of Bacallao, and accordingly on other sorts as are permitted, and upon the arrival of the Ships at the Ports of *Malaga*, *Cadiz* and *San Lucar*, they oblige you to declare the quantity of Fish you bring, charging you by the great for the whole, obliging you to the payment thereof, as Mony due to me,

la satisfacion de lo que monta, lo quales injusto, porque los que compran estos generos, y los consumen son Clerigos, Frayles, Monjas, y otras personas que tienen Privilegios, y Abitos, Alcaldes Mayores, Veinte y quatros, y Jurados, por cuya causa los arrendadores destos derechos, no quieren cobrarlos de ellos, y los cobran de vosotros por entero, sin considerar la cantidad que os hurtan, lo que se pudre, y gastais en vuestro sustento; demàs de que sobre quererlo cobrar vosotros de las tales personas, os maltratan, y no lo pagan; quiero, y mando, que este derecho se cobre de los compradores, y consumidores, y los Arrendadores pongan persona por su cuenta que lo cobre, como se haze en la renta del Alcavala, y Almoxarifazgo, con tanto que ayais de ser obligados, como yo os obligo à que ayais de registrar, y registreis todos los dichos generos de pescado referido, como teneis obligacion, conforme a los despachos generales, sin que desto se pueda exceder en manera alguna.

Que no se les pueda visitar sus casas, ni pedir los despachos de las mercaderias.

Y porque de las visitas que os hazen los Arrendadores se os siguen grandes molestias, quiero, y mando, que en

and oblige you to the payment thereof in Four Months of what it amounts to, which is unjust, because that those who buy these Kinds, are Clergy-men, Fryers, Monks, and other Persons which have Privileges and Habits, Mayors, Aldermen, and Common-Councilmen, for which cause the Farmers of these Duties will not recover them of such, but recover them of you for the whole, without considering the quantity they steal from you, that which is Rotten, and what you spend in your own Families, and if you insist on the recovery thereof of such Persons, they treat you ill, and do not pay you; therefore I Will and Command, that this Duty be recovered of the Buyers and Consumers, and that the Farmers put a Person for their account, that may recover the same, as is done in the Revenues of Alcavala and Almoxarifazgo, with this Condition, that you be obliged, as I oblige you, that you shall Register all the said kinds of Fish aforesaid, as you are obliged to do, according to the general Dispatches, without that this may be in any manner avoided.

That their Houses may not be search'd, nor the Entries of their Merchandizes be demanded.

And because from the Visits which the Farmers of Duties make you, there results a great deal of Trouble,

las

las Ciudades de *Malaga*, *San-lucar*, y *Cadiz* ſe os guarde, y cumpla el privilegio de no poder viſitarſe las mercaderias, eſtando en vueſtras caſas, que es en la forma que eſtà diſpueſto, y mandado por dicha Proviſion de diez y nueve de *Març̧o* deſte año, y es lo miſmo que ſe concediò a los que reſiden en la Ciudad de *Sevilla*; y aſſimiſmo mando, que la dicha viſita no la pueda hazer ningun Arrendador, pues en la Aduana dexais pagados todos los derechos; y eſto ſe os guarde, y cumpla inviolablemente.

I Will and Command, that in the Cities of *Malaga*, *San Lucar* and *Cadiz*, be obſerved to you, and kept the Privilege, that they may not Examine the Merchandizes which are in your Houſes, according to what is ordered and commanded by the ſaid Decree, of the Nineteenth of *March* of this preſent Year, being the ſame which is granted to thoſe who reſide in the City of *Sevilla*: And likewiſe I Command that the ſaid Search may not be made by any Farmer, if in the Cuſtom-houſe you have paid all the Duties, and that this be obſerved to you, and accompliſhed inviolably.

Que no ſe pueda poner en los Navios guardas a coſtas de los Maeſtres, ni dueños, y hagan la viſita dellos dentro de ters dias.

Y porque a todos los Navios que vienen a los dichos mis Reynos de los de *Inglaterra*, *Irlanda*, y *Eſcocia*, los Miniſtros del Contravando, y del Almoxarifazgo ſobre el viſitarlos, aſſi como entran en los Puertos hazen grandes vejaciones, y moleſtias a los Maeſtres de ellos, y cierran à los dichos Navios las eſcotillas, y pañoles, deteniendo el hazer la viſita ocho y quinze dias, poniendo guardas a coſta de los Maeſtres, las quales quieren que las ſuſtenten, y regalen con dadivas; mando à los dichos Miniſtros, aſſi del Contravando, como del Almoxarifazgo, y a cada uno, y a qualeſquier dellos, que

That they may not put in the Ships Waiters at the Coſt of the Maſters or Owners; and that they ſhall viſit them within 3 Days.

And becauſe that all Ships that come to theſe my ſaid Kingdoms, from thoſe of *England*, *Ireland*, and *Scotland*, the Miniſter of the Contrabands, and of the Almoxarifazgo upon ſearching them, as they enter the Ports, cauſe great Vexations, and Trouble to the Maſters of them, and ſhut up the Holes and Hatches of the ſaid Ships, deferring the viſiting them Eight or Fifteen Days, putting Waiters aboard at the Coſt of the Maſters, who they will have to Maintain them, and make them Preſents, I command the ſaid Miniſters, as well of the Contraband, as thoſe of Almoxarifazgo, and every of them,

dentro

dentro de tercero dia ayan de hazer, y hagan la dicha viſita, ſin ponerles guardas, ni llevar derechos por eſto; y ſi las puſieren, ſea à coſta del Almoxarifazgo mayor, y Almirantazgo, pues voſotros no debeis coſa alguna: y quando vinieren a los dichos Puertos de *Malaga*, *Cadiz*, y *Sanlucar*, qualeſquier Navios con mantenimientos, ò mercaderias, al tiempo de la viſita, y de la deſcarga, ni en otro alguno en la forma referida, mando tambien, que los Juezes, y Miniſtros del Contravando, y Almirantazgo, ni otro alguno no puedan poner, ni pongan en ellos guardas à coſta de los Maeſtres, ò dueños, ni ſobre eſto ſe os hagan moleſtias a los unos, ni a los otros, que es en conformidad de lo diſpueſto en los capitulos quarto de la inſtitucion del dicho Almirantazgo, por el qual ſe haze conſignacion en efectos tocantes a èl, para la ſatisfacion de las guardas, y Miniſtros ſuyos; y en el octavo de las pazes en que ſe manda, que los vaſſallos de un Rey, en el territorio del otro ſean tratados como los miſmos naturales, en cuyos Navios nunca ſe han pueſto guardas a coſta de los Maeſtres, ni dueños de ellos.

that within Three Days they ſhall and do make the ſaid Viſit, without putting Waiters aboard them, or taking any Duties by reaſon thereof, and if they ſhall put them, it ſhall be at the Coſt of the Chief Almoxarifazgo, and the Admiralty, ſince you owe nothing: And when there ſhall come into the ſaid Ports of *Malaga*, *Cadiz*, and *San Lucar*, any Ship with Proviſions, or Merchandizes, neither at the time of the Viſit, and of the Unloading, nor at any other, as aforeſaid, I order that the Judges, and Officers of the Contraband, nor Admiralty, nor any others, may not put, or do put in them Waiters at the Coſt of the Maſters or Owners, nor do give you any Trouble, either the one, or the other upon that account, according to what is ordered in the Fourth Article of the Inſtitution of the ſaid Admiralty, by which it is expreſt, relating thereunto, for the Satisfaction of the Waiters and other Officers, in the Eighth Article of the Peace, in which it is ordered, That the Vaſſals of the one King in the Territory of the other, ſhall be treated as the Natives themſelves, in whoſe Ships never are put Waiters at the Coſt of the Maſters, or Owners thereof.

Y porque tambien los Miniſtros del Contravando en

And becauſe alſo, that the Officers of the Contraband

los

Que monstando los conocimientos de las Mercaderias no se les pueda obligar a otra cosa, y los Maestres cumplan con exhibir los libros de sobordo dentro de tercero dia de como entren en el Puerto.

los dichos Puertos, luego que los Navios dàn fondo, piden à los Maestres los libros de sobordo, y si en ellos no se hallan escritas las mercaderias que os vienen consignadas, os hazen causa por ello, aunque tengais los conocimientos que los Maestres han dado de averlas recibido, para entregar las segun su consignacion, en lo qual recibis notorio agravio, porque el mejor instrumento que podeis tener son los conocimientos de los Maestres, porque por ellos los apremiais por justicia a que os entreguen las mercaderias; y si los Maestres por descuydo, ò por malicia no las escriven en dichos libros de sobordo, no es justo que se execute la pena en los dueños de las mercaderias, sino en los Maestres, y Navios; y executandose en esta forma, los libros de sobordo siempre estaràn justificados. En quanto a esto es mi voluntad, y declaro, que los Maestres cumplan con exhivir los libros de sobordo à los tres dias de como ayan entrado en los dichos Puertos; y mando, que por esta causa, mostrando los dueños de las mercaderias los conocimientos, no se os pueda hazer, ni haga causa, ni molestia alguna.

Y porque assimismo los Juezes de sacas, y otros Ministros os hazen muchas mo-

in the said Ports, as soon as the Ships cast Anchor, demand of the Masters their Manifest, and if they do not find in it the Merchandizes that come Consigned to you, they give you Trouble, although you have the Bills of Lading that the Masters have signed for them, to deliver them according to their Consignment, in which you receive a great deal of Damage, because that the best Instrument you can have is the Bills of Lading, because that by them, you may oblige them by Justice to deliver you your Goods, and if the Masters by neglect or malice, do not write them in the said Manifest, it is not just, that they execute the Punishment upon the Owners of the Goods, but upon the Masters and Ships, and in so doing, the Manifest shall be always Justifiable. Wherefore it is my Will, and I declare, That the Masters do comply with exhibiting their Manifest, within Three Days after their Arrival in the said Ports, and I command, That by reason hereof, the Owner of the Goods shewing the Bill of Lading, you may not give him any Trouble, or Molestation whatsoever.

That shewing Bills of Lading for the Merchandizes, they may not be obliged to any thing else, and that the Masters comply with producing their Manifest within the 3d day of their Arrival in the Port.

And because likewise the Judges for Exportation, and other Officers, cause you

lestias,

Que aviendo hecho Registro, pueda tener cada Navio tres realas de a ocho por cada tonelada.

lestias, y vejaciones, si hallan en los Navios dinero, y es fuerça que los Maestres tengan cantidad conforme las toneladas, para comprar velas, cables, ancoras, y otros bastimentos necessarios; doy licencia, y permission, para que aviendo primero hecho registro, como se acostumbra, ante el Juez que conoce de estas causas, cada Navio pueda tener tres reales de a ocho por cada tonelada, para el dicho efecto, y no para otro alguno, sin que se pueda hazer, ni haga causa alguna por ello.

That having made a Register, every Ship may have three Pieces of Eight for every Ton.

much Trouble and Vexation if they find in the Ship any Money, and it being necessary that the Masters have a Sum according to the Tonnage, to buy Sails, Cables, Anchors, and other necessary Stores, I give Licence and Permission, that having first made a Register, as is usual, every Ship may have Three pieces of Eight for every Ton, for the said Purpose, and not for any other, without therefore that upon that account they be put to any Trouble.

Y no se les pueda obligar a que manifiesten la manteca, baquetas, ni otras mercaderias en el Juzgado de eos Fieles Executores.

Y porque tambien los Fieles Executores de la dicha Ciudad de *Sevilla* os hazen molestias, vejaciones, y causas, diziendo, que es de ordenança, que manifesteis la manteca, ba queta, y otras mercaderias, y mantenimientos, y que declareis los precios à que vendeis, y a què personas, por lo qual ha dos años que no se trae manteca a la dicha Ciudad, y la ordenança no debe hablar con el Estrangero, que trae sus mercaderias, y mantenimientos por alta mar, sino con los regatones, que vàn à comprarlas a los Puertos, y las traen à la dicha Ciudad, para ganar en ellas; declaro no tener obligacion à hazer las dichas manifestaciones, y declaraciones, ni por ello se os pueda obligar à hazerlas, ni hazerseos causas; y si las

That they may not be obliged to manifest Butter, Leather, nor other Merchandizes in the Excise Office.

And because, that also they of the Excise Office of the said City of *Sevilla*, occasion you Trouble, Vexation, and Law Suits, saying, That there is an Order that you shall Manifest the Butter, Leather, and other Merchandizes, and Provisions, and that you declare the Price you Sell them at, and to what Persons, by which means it is Two Years since, that you have not brought any Butter to the said City, and the Order doth not relate to the Strangers that bring these Goods, and Provisions by Sea, but only with the Retailers that go to buy them in the Ports, and bring them to the said City to gain by them, I declare, That you have no Obligation to make the said Manifest and Declaration, nor can

hizieren, mando ſe remitan al Juez Conſervador, para que él las determine.

they be obliged thereby to make them, nor to make a Proceſs againſt you, and if they do, I command they be remitted to the Judge Conſervator to determine them.

Que no ſe les pueda ſtuitar ſus caſas haſta averſe cumplido ſu arrendamiento.

Y porque muchas vezes, aviendo arrenda do caſas en que vivir, y tener vueſtras mercaderias, eſtandolas viviendo, perſonas poderoſas, que tienen privilegio, os las quitan antes de cumplirſe vueſtros arrendamientos, por ſer grandes, y averlas buſcado donde eſtà el comercio, y os obligan à mudar las mercaderias, las quales ſe os maltratan, y hurtan; quiero, y mando, que durante el tiempo de vueſtro arrendamiento, no ſe os puedan quitar las dichas caſas por ninguna perſona, aunque ſea Juez, y tenga privilegio particular.

That their Houſes may not be taken from them till their Leaſes be complied with.

And becauſe that many times you have taken Leaſes of the Houſes in which you live, and keep your Merchandizes, and while you are in them Perſons of great Authority take them from you, before your Leaſe is expired, becauſe they be large and ſtand where Trade is, and oblige you to remove the Goods, whereby they are Damaged and Stolen from you; I will, and command, That during the time of your Leaſe, the ſaid Houſes may not be taken from you by any Perſon, although he may be a Judge, and have a particular Privilege.

Y para que todo ello ſea cierto, y ſeguro, mando al Regente, y Juezes de la mi Audiencia de Grados de la Ciudad de *Sevilla*, y Alcaldes de la Quadra de ella, y al mi Aſſiſtente de la dicha Ciudad, y à ſu Lugar-Teniente en el dicho oficio, y a los demàs Juezes, y Juſticias de ella, y de otras qualeſquier Ciudades, Uillas, y lugares de los mis Reynos, y Señorios de la Corona de *Caſtilla*, à quien principal, ò inſidentemente tocare todo lo aqui contenido, que todas las cauſas que eſtuvieren pendi-

And that all this may be certain and ſecure, I command the Regent, and Judges of my Court of Degrees of the City of *Sevilla*, and the Judges of the Courts thereof, and my Governor of the ſaid City, and his Deputy, and the other Judges and Juſtices thereof, and of others whatſoever Cities, Villages, and Places of my Kingdoms, and Dominions of my Crowns of *Caſtille*, to whom principally, or accidentally ſhall concern what is here contained, that all Cauſes which ſhall be depending,

ente-

Que los pleytos que ſe huvieren empezado antes, o deſpues de la Cedula de 19 de *Março* ſe remitan al Conſervador, ſiendo en ellos reos.

entementes, en que voſotros fueredes reos, ſiendo de las calidades en eſta mi Carta declaradas, provean, y dèn orden ſe remitan luego al Juez conſervador que os tengo nombrado, en el eſtado que eſtuvieren, aunque ſe ayan empezado antes, ò deſpues de la dicha mi Proviſion de diez y nueve de *Março* deſte año, juntamente con las dichas Proviſion, y Cedulas, ſin embargo de averſe mandado por la dicha mi Audiencia de Grados dar traſlado de ello al dicho mi Fiſcal, y ſin poner en ello eſcuſa, replica, duda, ni dificultad alguna; a los quales mando, que no ſe entrometan, ni puedan entrometer en coſa alguna, tocante a lo contenido en las dichas Proviſion, y Cedulas, y en eſta mi Carta, ſino que las guarden, y cumplan, y hagan guardar, cumplir, y executar en todo, y por todo, como en ellas ſe contiene, y à cada uno en la parte que le tocare, las haga llevar, y lleve a pura, y debida execucion, con efecto, de manera que todo ello ſe cumpla, ſin que ſea neceſſario ocurrir mas à mi ſobre eſto, no embargante qualeſquier leyes y pragmaticas de los mis Reynos, y Señorios, ordenanças, eſtilo, uſo, y coſtumbre, y todo lo demàs que aya, ò pueda aver en contrario, con lo qual para en quanto a

in which you ſhall be Defendants, being of the qualities in this my Letter contained, that they may provide and give order, that they may be remitted preſently to the Judge Conſervator, as I have named you, in the poſture they ſhall be, though they may have been begun before, or after my ſaid Decree of the Nineteenth of *March*, of this preſent Year, together with the ſaid Decrees, and Cedulas (notwithſtanding it having been ordered by my ſaid Court of Degrees, to give a Copy thereof to my ſaid Judge) without making therein any Excuſe, Reply, Doubt, or any Difficulty whatſoever; and I command, That they do not intermeddle, nor may intermeddle in any thing concerning what is contained in the ſaid Decree, and Cedulas, and in this my Letter, but that they obſerve, and fulfil, and cauſe to be obſerved, and fulfilled, and executed in all, and through all, as therein is contained, and that each of you, in that Part which ſhall Concern him, do cauſe them to be put in true and due Execution effectually, ſo as in all reſpects it may be complied with, without that it be Neceſſary to have further Recourſe to me hereupon, whatſoever Laws, and Pragmaticas of theſe my Kingdoms and Dominions, Or-

That the Suits which ſhall have been begun before, or after the Cedula of the 19th of *March*, be remitted to the Conſervator, they being Defendants.

esto toca, y por esta vez dispenso, y lo abrogo, y derogo, caso, y anulo, y doy por de ningun valor, y efecto, quedando en su fuerça, y vigor para en lo demàs adelante; y desta mi Carta han de tomar la razon los Contadores que la tienen de mi Real Hazienda, y declaro, que desta merced aveis pagado el derecho de la media anata. Dada en *Valencia* à nueve de *Noviembre* de mil y seiscientos y quarenta y cinco años.

Yo el Rey.

YO *Antonio Carnero*, Secretario del Rey nuestro Señor, la hize escrevir por su Mandado.

Licenciado Don *Juan Chumazero y Carrillo.*

El. Lic. Don *Antonio de Campo Redondo y Rio.*

Licenciado *Joseph Gonçalez*, Registrada.

Miguel de Olariaga, Teniente de Chanciller Mayor.

Miguel de Olariaga.

Por esta Confirmacion se ha pagado a la Media anata

dinances, Stiles, Use and Custom, which they have, or might have, to the contrary notwithstanding; with which, for as much as relates to these Presents, I dispense, abrogate and derogate, make void and null, and give for no value and effect, these Presents remaining in full Force and Vigor for the future, and of this my Letter, the Clerks of my Royal Treasury are to take notice, and I declare, That for this Grant, you have Paid the Duty of the Media anata. Given in *Valencia*, the Nineteenth Day of *November*, in the Year, One thousand six hundred forty five.

I the King.

ANtonio *Carnero*, Secretary of our Lord the King, caused this to be Writ by his Command.

Dr. Don *Juan Chumazero y Carrillo.*

Don *Antonio de Campo Redondo y Rio.*

Don *Joseph Gonçales*, Register.

Miguel de Oliariga, Deputy of the High Court of Chancery.

Miguel de Oliariga.

For this Confirmation, hath been payed to the Me-

veinte

veinte y un mil y noventa y tres Maravedis de plata; y hasta en la misma cantidad han de pagar perpetuamente de quinze en quinze años: y este despacho se ha de tomar la razon en la Contaduria del mismo derecho. Tomò la razon *Geronimo de Canencia.*

dia anata, Twenty one thousand nine hundred and three Maravedis Silver, and are to pay the same Quantity for ever, every Fifteen Years: and of this Duty, there shall be an Account in the Office of the said Duty. Taken an Account thereof, by *Geronimo de Canencia.*

Tomò la razon de la Cedula de su Magestad, escrita en las dos hojas antes desta, *Pedro de Leon.*

Account of his Majesties Cedula, written in the Two Leaves before this, by *Pedro de Leon.*

Tomò la razon de la Cedula de su Magestad, escrita en las dos hojas antes de esta, *Martin de Medina Lasso de la Vega.*

Taken an Account of his Majesties Cedula, written in the Two Leaves before this. *Martin de Medina Lasso de la Vega.*

EN la Ciudad de *Sevilla*, en quatro dias del mes de *Setiembre* de mil seiscientos y quarenta y nueve años, vista esta Peticion, y las Cedulas Reales, que con ella se representan por el Señor Licenciado D. *Geronimo del Pueyo Araciel*, del Consejo de su Magestad Real de *Castilla*, Governador de la Real Audiencia de esta Ciudad, y Juez Conservador de la Nacion *Inglesa*; su Señoria las tomò en su mano, besò, y puso sobre su cabeza, y obedeciò con el respeto debido, como cartas de su Rey, y Señor natural, y mandò se guarde, y cumpla lo que por ellas su Magestad manda, y aceptò la jurisdicion que por ella se le dà, y concede para todos los

IN the City of *Sevilla*, the Fourth Day of the Month of *September*, in the Year, One thousand six hundred forty and nine, having seen this Petition, and the Royal Cedulas, with which it was presented by Doctor Don *Geronimo de Pueyo Araciel*, of his Majesties Royal Council of *Castille*, Governor of the Royal Court of this City, and Judge Conservator of the *English* Nation; his Lordship took it in his Hands, kissed it, put it upon his Head, and obeyed it with due Respect, as Letters from his King, and his Natural Lord, and commanded to be observed and kept, what therein his Majesty commands, and accepted the Jurisdiction, which

casos.

caſos, y efectos en ellas expreſſados, y eſtà preſto de adminiſtrar juſticia a las partes, y que yo el Eſcrivano dè los teſtimonios deſta peticion, Cedulas, y auto a la parte que lo pide, para que conſte de ello, y ſe impriman los traſlados neceſſarios dei dicho teſtimonio, los quales autorizè yo el Eſcrivano, aſſi lo mandò, y firmò.

Lic. Don *Geronimo del Pueyo Araciel.*

Ante mi,

Antonio Gonçalez de Avellaneda, Eſcrivano.

thereby is given him, and granted for all the Caſes and Effects therein expreſſed, and is ready to adminiſter Juſtice to the Parties, and that I the Notary do give Certificates of this Petition, Cedula, and Act to the Party that required it, that it may be Manifeſt, and the neceſſary Copies be Printed of the ſaid Certificates, which I the Notary Authorized, ſo he Ordered it, and Signed it.

Doctor Don *Geronimo del Pueyo Araciel.*

Before me,

Gonçales de Avellaneda, Notary.

SEgun que lo referido conſta, y parece por el dicho pedimento; Cedulas, y auto, à que me refiero, y por mandado del dicho Señor Governador di el preſente en *Sevilla*, en catorze dias del mes de *Octubre* de mil ſeiſcientos y quarenta y nueve años.

Antonio Gonçalez de Avellaneda.

ACcording to what is Manifeſt, and appears by the ſaid foregoing Petition, Cedulas and Act, to which I refer my ſelf, and by Command of the ſaid Governor, I have given theſe Preſents in *Sevilla*, the Fourteenth Day of the Month of *October*, in the Year, One thouſand ſix hundred forty nine.

Antonio Gonçales de Avellaneda.

EL REY.

LIcenciado Don *Geronimo del Pueyo Araciel*, del Conſejo, y Regente de la mi Audiencia de los Grados de la Ciudad de *Sevilla*, ſabed que por una mi Carta, y Proviſion de diez y nueve de *Março* de mil y ſeiſcientos y quarenta y cinco, hize merced à *Ricarte Antonio*, Conſul de la Nacion *Ingleſa*, y à los vaſſallos del Rey de *Inglaterra*, que reſiden, y comercian en el *Andaluzia*, principalmente en eſta Ciudad, y en la de *Cadiz*, y *Sanlucar de Barrameda*, ſe les guardaſſen los privilegios, y excempciones, y facultades que les competen, aſſi por los capitulos de las pazes, como por las confirmaciones, y otras mercedes, è indultos, que el Rey mi Señor mi Padre (que aya gloria) les diò, y con otras calidades, condiciones, preeminencias, y ampliaciones, en la dicha Proviſion declaradas, ſegun mas largo en ella, a que me refiero, ſe contiene; y una de las quales condiciones con que les hize eſta merced, fue que les avia de nombrar, y conceder un Juez Conſervador para la *Andaluzia*, principalmente para las dichas dos Ciudades, y *Sanlucar de Barrameda*, à quien ſe aya de dar comiſſion baſtante para la guarda, y cumplimiento de los dichos privilegios, libertades, y excempciones, el qual pueda conocer de todas las cauſas civiles, y criminales, en que fueren reos convenidos, que contra ellos ſe intentaren, y ante èl ayan de paſſar qualeſquier pleytos, y cauſas que tocaren a los dichos *Ingleſes*, ò a otras qualeſquier perſonas, de qualquier calidad que ſean, aſſi aquellos en que fueren reos convenidos, como en los que fueren actores,

THE KING.

TO Don *Geronimo del Pueyo Araciel*, one of the Council, and Regent of my Court of Degrees of the City of *Sevilla*, Know ye, that by my Letter and Decree of the Nineteenth of *March*, One thouſand ſix hundred forty and five, I did grant to *Richard Anthony*, Conſul of the *Engliſh* Nation, and to the Subjects of the King of *England*, who reſide and Trade in *Andaluzia*, principally in this City, and that of *Cadiz* and *San Lucar de Barrameda*, that they ſhould enjoy the Privileges, Exemptions and Liberties, which belong to them, as well by the Articles of Peace, as by the Confirmation, and other Grants and Indulto's, which the King my Lord and Father (now in Glory) Granted them, with all the Qualities, Conditions, Preheminences, and Amplifications, in the ſaid Decree declared, as thereby more largely it doth appear, to which I refer my ſelf; one of the Conditions which I then did Grant them was, that I ſhould Appoint, and Grant them a Judge Conſervator for *Andaluzia*, principally for the ſaid Two Cities, and *San Lucar de Barrameda*, to whom ſhould be given ſufficient Commiſſion, for the obſervance and accompliſhment of the ſaid Privileges, Liberties, and Exemptions, who ſhould take Cognizance of all Cauſes Civil and Criminal (in which they were Defendants) which againſt them ſhall, or ſhould be brought, and before him ſhould paſs all the Suits and Cauſes whatſoever, which ſhould concern the ſaid *Engliſh*, or other Perſons whatſoever, of whatſoever quality they may be, as well in thoſe in which they

aunque

aunque las perſonas que los convinieren, y que de ellos fueren convenidos, tengan qualeſquiera Juezes privativos, aſsi por aſsiento, ò contrato que ayan hecho, como por preeminencia, ò immunidad que tengan; porque de las dichas cauſas ſolo ha de conocer privativamente el dicho Juez Conſervador, y no otro Juez, ni Tribunal alguno, aunque ſea por via de exceſſo, ò en otra qualquier forma, y manera, y que para los negocios, y pleytos que ſe ofrecieren en las dichas Ciudades de *Cadiz*, y *Malaga*, y *Sanlucar*, aya de ſubdelegar ſu comiſsion en la perſona que por la dicha Nacion ſe le propuſiere, para que la ſubſtancie haſta la concluſion, y las remita para determinarlas, y de lo que el dicho Juez determinare ſe ha de apelar para el mi Conſejo, y no para otro Tribunal alguno. Y por una mi Cedula de veinte y ſeis de *Junio* del año de ſeiſcientos y quarenta y cinco, di mi comiſsion para todo lo referido à Don *Franciſco de Medrano*, Juez que fue de eſſa Audiencia; ſegun mas largo en las dichas Proviſion, y Cedula ſe contiene, y declara: y aora por parte del dicho *Ricarte Antonio*, por ſi, y los demàs de la dicha Nacion *Ingleſa* me ha ſido ſuplicado, que porque el dicho Don *Franciſco Medrano* no puede proſeguir en el uſo, de la dicha comiſsion, por averle yo promovido de ſu plaza à otra de Oydor de la mi Audiencia, y Chancilleria que reſide en la Ciudad de *Granada*, y os han nombrado en ſu lugar, ſea ſervido de daros Cedula mia para entender en la dicha comiſsion, ò como la mi merced fueſſe, y yo lo he tenido por bien, y por la preſente por el tiempo que aſsiſtieredes en eſſa Audiencia, y por vueſtra auſencia, y deſpues de vos el que ſeñalare la dicha Nation en la

ſhall be Plaintiffs as Defendants, tho' the Perſons that ſhall Sue them, or which by them ſhall be Sued, may have whatſoever Special Judges, as well by Covenant, or Contract, which they have made, as by Preheminence or Immunities which they may have, becauſe that of the ſaid Cauſes only ſhall take ſpecial Cognizance the ſaid Judge Conſervator, and no other Judge or Tribunal, although it be by way of Exceſs, or in any other Form and Manner whatſoever, and that for Matters and Suits which ſhall offer in the ſaid Cities of *Cadiz*, *Malaga* and *San Lucar*, and that they may Subſtitute their Commiſſion in the Perſon which by the ſaid Nation ſhall be thought fit, for the ending thereof, and that it may be remitted to him to Determine them, and of what the ſaid Judges ſhall Determine, they may Appeal to my Council, and not to any other Tribunal, and by my Cedula of the Twenty ſixth of *June*, of the Year Six hundred forty five, I gave Commiſſion for all the aforementioned, to Don *Franciſco de Medrano*, who was Judge of this Court, according as in the ſaid Decree and Cedula more at large is contained and declared: And now on the behalf of the ſaid *Richard Anthony*, for himſelf, and the reſt of the ſaid *Engliſh* Nation, I have been petitioned, That whereas the ſaid Don *Franciſco de Medrano* cannot proceed in the Exerciſe of the ſaid Commiſſion, by my having Promoted him from that Place to be one of the Judges of my Court, and Chancery, which reſide in the City of *Granada*, (and that they have named you in his ſtead) that I would be pleaſed to Grant you my Cedula, to be fixed in the ſaid Commiſſion, or as I ſhall ſee fit; I have thought good for the

A dicha

d'cha Ciudad de *Sevilla* ; os encargo, y cometo la proteccion, y amparo de todo lo referido, y os mando veais la dicha Proviſion, y las calidades, preeminencias, y ampliaciones en ella contenidas, y todo ello lo hazed guardar, y cumplir en la forma, ſegun, y de la manera que en la dicha Proviſion, y en eſta mi Cedula ſe declara, ſin conſentir, ni dar lugar à que en todo, ni en parte ſe les pueda poner, ni ponga duda, ni dificultad alguna, ante vos, y no ante otro Juez alguno en primera inſtancia ayan de paſſar, y ſeguirſe todas las cauſas, y pleytos que ſobre ello, y qualquier coſa, y parte de ello ſe hizieren, y cauſaren, y conocer aſſimiſmo de todas las cauſas civiles, y criminales, en que fueren reos convenidos, que contra ellos ſe intentaren ; y ante vos han de paſſar qualeſquier plytos, y cauſas que tocaren à los dichos *Ingleſes* entre qualeſquier perſonas de qualquier calidad que ſean, y la execucion, y caſtigo de los inobedientes ; porque mi voluntad es, que el conocimiento, y determinacion de todo lo contenido en eſta dicha Proviſion, y en eſta mi Cedula de ampliacion privativamente os aya de tocar, y toque, procediendo en todo contra los que fueren culpados, executando en ellos las penas que hallaredes por derecho, ſin que ningunos Tribunales, Audiencias, ni Chancillerias, ni otros ningunos Juezes, y Juſticias de los mis Reynos, y Señorios, de qualquier calidad que ſean ſe pueda entrometer, ni entrometa en ello, ni en el uſo y exercicio de la juriſdicion en la dicha primera inſtancia, que por eſta mi Cedula os doy por via de exceſſo, apelacion, ni otro recurſo, ni manera alguna, à los quales, y a cada uno de ellos inhivo, y he por inhividos de ſu conocimiento, y los declaro por

preſent you ſhall aſſiſt in that Court, and by your abſence, and after you, he whom the ſaid Nation, in the ſaid City of *Sevilla* ſhall appoint ; and I Charge you, and Commit to your Protection and Defence all the aforementioned, and Command that you ſee the ſaid Conditions, Preheminences and Amplifications contained in the ſaid Decree, and all of them to be kept in due Form, according, and in the manner, as in the ſaid Decree, and in this my Cedula is Declared, without conſenting or allowing, that in the whole or in part may be put, or put any Difficulty, and before you, and not before any other Judge, in the firſt Inſtance ſhall be brought and followed all Suits and Cauſes thereupon, and whatſoever thing, and part thereof ſhall be made and cauſed, and to take Cognizance likewiſe of all Cauſes Civil and Criminal, in which you ſhall be Defendants, which againſt you ſhall be brought, and before you ſhall paſs, whatſoever Suits, and Cauſes ſhall concern the ſaid *Engliſh*, between whatſoever Perſons of whatſoever Quality they may be, and the Execution, and the Chaſtiſement of the Diſobedient that ſhall oppoſe it ; becauſe that my Will is, That the Cognizance and Determination of all that is contained in this ſaid Decree, and in this my Cedula of Amplification, ſpecially ſhall concern you, and doth concern you, proceeding in all Matters againſt thoſe that ſhall be found Guilty, Executing on them the Puniſhment you ſhall find by Law, without that any Tribunals, Courts or Chancery, or any Judges and Juſtices of my Kingdoms and Dominions, of whatſoever Quality they be, may intermeddle or do intermeddle, either in the Uſe, or Exerciſe

Juezes incompetentes del, que para todo, y cada coſa, y parte de ello os doy el poder mas cumplido, y la comiſſion mas amplia que de derecho ſe requiere, y es neceſſaria, con ſus inſidencias, y dependencias, anexidades, y conexidades, y deſpues de vos la dicha Nacion *Ingleſa* de la dicha Ciudad de *Sevilla* ha de poder nombrar en la dicha comiſſion uno de los Juezes de eſſa Audiencia, el que eligiere la dicha Nacion; y mando al Preſidente, y los del mi Conſejo de la Camara, q̃ preſentandoſe ante ellos el nombramiento ſuyo, llegado el caſo de vacar la dicha comiſſion por promocion, ò vacacion vueſtra, ò en otra manera, la deſpachen por ordinaria al que fuere nombrado en ella, en la forma, ſegun, y como por eſta mi Cedula ſe diſpone: y para que mejor ſe cumpla todo lo contenido en la dicha Proviſion, y en eſta mi Cedula os doy facultad, poder, y autoridad, para que podais ſubdelegar, y ſubdeleguëis eſta comiſſion, para los negocios, y pleytos que ſe ofrecieren en las dichas Ciudades de *Cadiz*, *Malaga*, y *Sanlucar*, en la perſona que por la dicha Nacion ſe os propuſiere, para que ſubſtancie haſta la Concluſion, y os lo remita, para determinarlos en la forma que os pareciere, y viередes que conviene para la ſeguridad de la dicha Nacion, y que todo ſe guarde en la foma que por la dicha Proviſion, y eſta mi Cedula ſe diſpone, y manda, no embargante qualeſquiera leyes, y pragmaticas de los dichos mis Reynos, y Señorios, ordenanças, eſtilo, uſo, y coſtumbre, y otra qualquiera coſa que aya, ò pueda aver en contrario: con todo lo qual, para en quanta a eſto toca, y por eſta vez diſpenſo, quedando en ſu fuerça, y vigor para en lo demàs adelante.

in the Juriſdiction of the ſaid firſt Inſtance (which by this my Cedula I Grant you) either by way of Exceſs, Appeal, or any other manner of recourſe, to whom, and to each of them I Inhibit, and hold for Inhibited their Cognizance, and Declare them for Judges Incompotent thereof, for the whole, and each thing and part thereof, I grant you the moſt full Power and ample Commiſſion, which by Law is required and is neceſſary, with its Incidences, Dependencies, Annexities and Connexities; and after, you the ſaid *Engliſh* Nation in the ſaid City of *Sevilla*, have Power to name in the ſaid Commiſſion one of the Judges of that Court, whom the ſaid Nation ſhall think fit; and I command the Preſident, and thoſe of my Council, that preſenting his Name before him, the ſaid Commiſſion happening to be vacant by Promotion, or Vacation, or by any other manner, that you give the needful Diſpatches to him, that ſhall be named therein, in Form, according, and as by this my Cedula is Ordained: And that it may be the better accompliſhed, all that is contained in the ſaid Decree, and in this my Cedula, I give you Licence, Power and Authority, that you ſubſtitute, and may ſubſtitute this Commiſſion for all Matters and Suits which ſhall offer in the ſaid Cities of *Cadiz*, *Malaga*, and *San Lucar*, in the Perſon which by the ſaid Nation ſhall be propoſed you, that he may conclude them, and that you may remit them to him to determine them, in the Form you ſhall think fit, and ſee convenient for Security of the ſaid Nation, and that all be obſerved in the Form which by the ſaid Decree, and by this my Cedula, is Ordained and Commanded, whatſoever

Fecha

Fecha en *Madrid*, à veinte y dos de *Noviembre* de mil y seiscientos y quarenta y ocho años.

Yo el Rey.

Por Mandado del Rey nuestro Señor,

Antonio Carnero.

EN la Ciudad de *Sevilla* en diez dias del mes de *Março*, de mil seiscientos y quarenta y nueve años, yo el Escrivano hize saber la Real Provision de su Magestad desta otra parte contenida, a su Señoria el Señor D. *Geronimo del Pueyo Araciel*, del Consejo de su Magestad en el Real de *Castilla*, y Governador de esta Real Audiencia, y su Señoria aviendola visto, la tomò en su mano, besó, y puso sobre su cabeza, y obedeció con el acatamiento debido, como carta, y Cedula de su Rey, y Señor natural, y su Señoria aceptaba, y aceptò la jurisdicion que por ella se le dà, y està presto de usar de ella, segun, y como su Magestad le manda, y administrar justicia a las partes, y assi lo proveyò, mandò, y firmò.

Lic. Don *Geronimo del Pueyo Araciel.*

Ante mi,

Antonio Gonçalez de Avellaneda, Escrivano.

Laws and Pragmaticas of my said Kingdoms and Dominions, Ordinances, Stile, Use, and Custom, and other thing whatsoever may be, or might be, to the contrary notwithstanding: With all which, and for as much as shall concern this, and by these Presents, I dispense therewith, these remaining in full Force and Vigour for the future. Given in *Madrid*, the Twenty second of *November*, in the Year One thousand six hundred forty eight.

I the King.

By Command of our Lord the King,

Antonio Carnero.

IN the City of *Sevilla*, the Tenth Day of the Month of *March*, of the Year One thousand six hundred forty nine, I the Notary made known his Majesties Royal Decree, contained on the other side, to Don *Geronimo del Pueyo Araciel*, of his Majesties Royal Council of *Castille*, and Governor of this Royal Court, and his Lordship having seen it, took it in his Hand, Kissed it, put it upon his Head, and obeyed it with due Reverence, as a Letter and Cedula from his King and Natural Lord; and his Lordship accepted, and doth accept, the Jurisdiction which by it is granted him, and is ready to make use of it accordingly, and as his Majesty commands him, and to administer Justice to the Parties, and so Provided, Commanded, and Firmed these Presents.

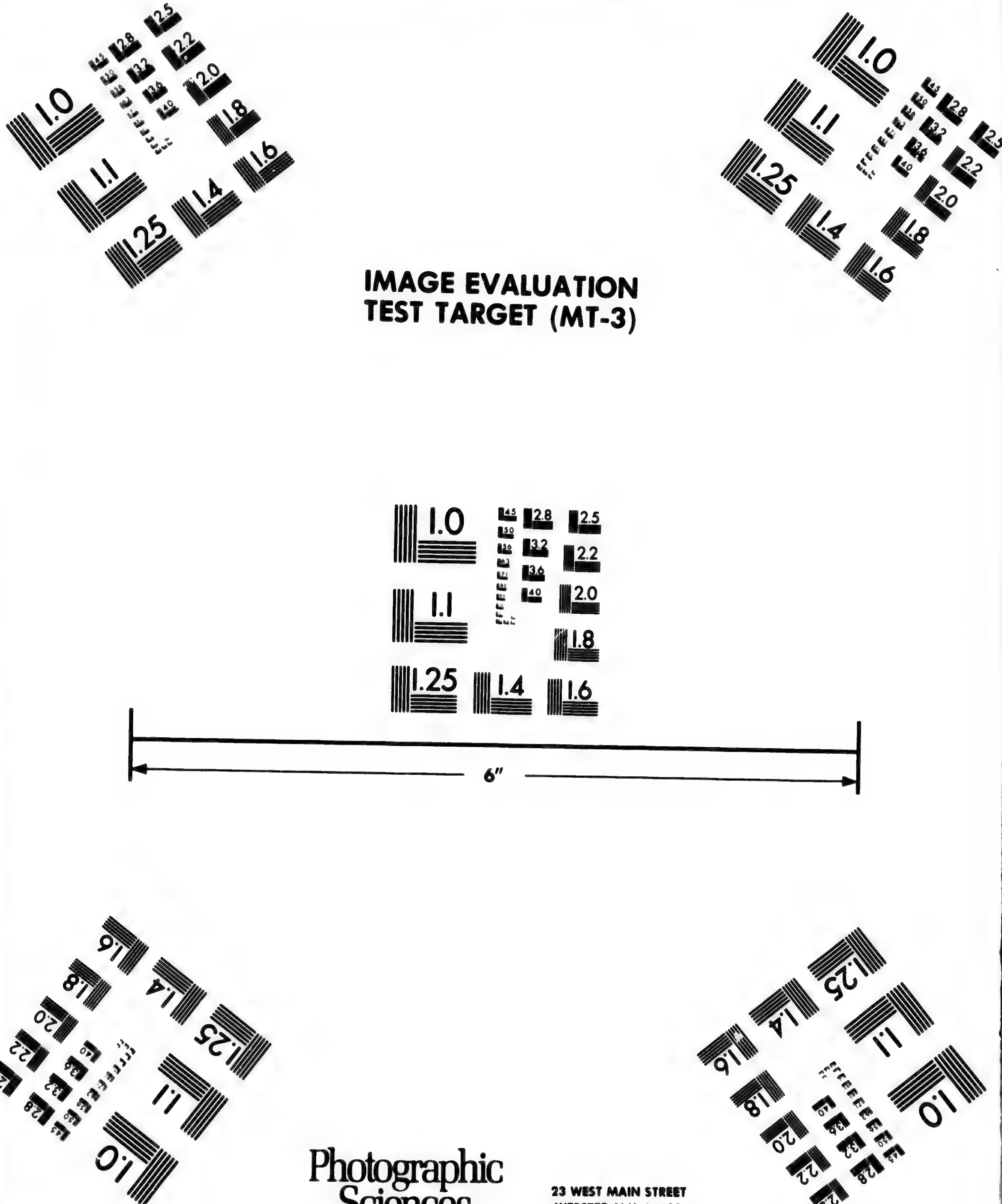
Don *Geronymo del Pueyo Araciel.*

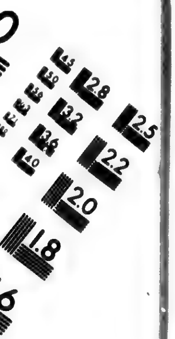
Before me,

Antonio Gonçales de Avellaneda, Notary.



IMAGE EVALUATION TEST TARGET (MT-3)







La Reyna Governadora.

DON *Rodrigo Serrano y Trillo*, Regente de la nuestra Audiencia de los Grados de la Ciudad de *Sevilla*, sabed, que el Rey nuestro Señor (que està en gloria) por una su Carta, y Provision de diezy nueve de *Março* de mil y seiscientos y quarenta y cinco, hizo merced a *Ricarte Antonio*, Consul de la Nacion *Inglesa*, y a los vassallos del Rey de *Inglaterra*, que residen, y comercian en el *Andaluzia*, y principalmente en essa Ciudad, y en la de *Cadiz*, y *Sanlucar*, de que se les guarde los privilegios, y excempciones, y facultades que les tocan, assi por los capitulos de las pazes, como por las confirmaciones, y otras mercedes, è indultos de las que el Rey mi Señor Don *Phelipe Tercero*, que tambien està en gloria, les diò, y concediò, y con facultad de poder nombrar Juez Conservador, que les haga guardar los dichos privilegios, y sus preeminencias, y que este fuesse uno de los Juezes de la dicha Audiencia, el que la dicha Nacion nombrasse, en la forma, y con las calidades, y condiciones en la dicha Provision declaradas, y por una Cedula de veinte y dos de *Noviembre* de mil y seiscientos y quarenta y ocho, diò comission para ello al Licenciado Don *Geronimo del Pueyo Araciel*, que fue del Consejo, y Regente de la dicha nuestra Audiencia en laqual han subcedido, en virtud de Cedulas de su Magestad, los Regentes que despues del dicho Don *Geronimo* lo han sido de la dicha Audiencia: y ultimamente por otra de treze de *Julio* de mil y seiscientos y sesenta y quatro mandò, que continuasse en ella Don *Lorenço Santos de San Pedro*, del nuestro Consejo, que tambien sirviò la dicha Regen-

The Queen Governess.

DON *Rodrigo Serrano y Trillo*, Regent of our Court of Degrees of the City of *Sevilla*, Know, That our Lord the King, which is in Glory, by a Letter of his, and a Decree of the Nineteenth of *March*, One thousand six hundred forty five, did grant to *Richard Anthony*, Consul of the *English* Nation, and to the Subjects of the King of *England*, which reside and trade in *Andaluzia*, principally in this City, and in that of *Cadiz* and *San Lucar*, that the Priviledges, Exemptions, and Liberties which concern them, should be observed, as well those granted by the Articles of Peace, as by the Confirmations and other Favours and Indultos of those which my Lord the King, Don *Philip* the Third, (who also is in Glory) gave them, and granted them, with Liberty to name a Judge Conservator, which should cause their Privileges and Preheminences to be observed, and that he should be one of the Judges of the said Court, which the said Nation should name, and in the Form, and with the Qualities and Conditions in the said Decree declared: And by a Cedula of the Twenty sixth of *November*, One thousand six hundred forty and eight, a Commission was past for it to Don *Geronymo del Pueyo Araciel*, who was of the Council, and Regent of our said Court, wherein have succeeded by virtue of his Majesties said Cedula, the Regents which, after the said Don *Geronymo*, have been of the said Court: And lastly, By another of the Thirteenth of *July*, One thousand six hundred sixty and four, it was Ordered, that Don *Lorenzo Santos de San Pedro*, of our Council, should continue there-

cia,

cia, ſegun mas largo de la dicha Proviſion, y Cedulas, a que nos referimos, ſe contiene. Y porque el dicho Don *Lorenço* ha ſido proveido al dicho nueſtro Conſejo; y por orden nueſtra ha ido a las Iſlas de *Canaria* à diferentes negocios de nueſtro ſervicio, y conviene que aya Miniſtro, que tenga a ſu cargo la obſervancia de los dichos privilegios, conforme à la merced que hizo el Rey nueſtro Señor a la Nacion, confiando de vos que lo hareis con la rectitud, entereza que conviene, avemos tenido por bien de os encargar, y cometer, como por la preſente os encargamos, y cometemos la proteccion, y amparo de todo ello; y os mandamos veais la dicha Cedula de veinte y dos de *Noviembre* de mil y ſeiſcientos y quarenta y ocho, en que dio ſu Mageſtad la dicha comiſſion al Lic. Don *Geronimo del Pueyo Araciel* para la dicha obſervancia, y guarda de las calidades, condiciones, y preeminencias, que eſtàn concedidas a la dicha Nacion por los dichos ſus privilegios, y como ſi con vos hablara, y a vos fuera dirigida deſde ſu principio, la guardeis, cumplais, y executeis, y hagais guardar, cumplir, y executar en todo, y por todo, ſegun, y como en ella ſe contiene, uſando de la dicha comiſſion en la forma que èl, y los demàs vueſtros anteceſſores que la han tenido, la han uſado, y exercitado, ſin limitacion, ni moderacion alguna, que para todo ello, y qualquier coſa, y parte de ello, y lo que a ello fuere anexo, y dependiente, os damos la miſma comiſſion, con ſus inſidencias; y dependencias, anexidades, y conexidades; y declaramos que deſta merced aveis pagado el derecho de la Media anata que importò ſiete mil y quinientos Maravedis, el qual haſta la miſma cantidad han de pagar los que

in, who alſo ſerved the ſaid Regency, as more largely in the ſaid Proviſion and Cedulas doth appear, to which we refer. And becauſe that the ſaid Don *Lorenzo* hath been impowered by our ſaid Council, and by our Order is gone to the Iſlands of the *Canaries* upon divers Affairs of our Service; and it being convenient, that there be a Miniſter that may take care of the Obſervance of the ſaid Privileges, according to the Grant of our Lord the King to that Nation, truſting that you will act with Rectitude and Integrity, as is convenient, We have thought fit to give you Charge and Commiſſion, as by theſe Preſents We do give you Charge and Commiſſion, for the Protection and Defence of all therein contained; and We do Command you to ſee, that the ſaid Cedula of the Two and twentieth of *November*, of the Year One thouſand ſix hundred forty and eight, in which his Majeſty gave the ſaid Commiſſion to Don *Geronymo del Pueyo Araciel*, for the ſaid Obſervance and Preſervation of the Articles, Conditions, and Preheminences, which are granted to the ſaid Nation by thoſe his ſaid Privileges, that you Obſerve, Accompliſh, and Execute it, and cauſe it to be Obſerved, Accompliſhed, and Executed, in all and through all, according as if it had been ſpoken and directed to you from the beginning, as therein is contained, uſing the ſaid Commiſſion in the Form that he and the reſt of your Anceſtors (that have holden it) have done and executed, without Limitation, or any Moderation, that for all of it, and whatſoever thing and part thereof, and that ſhall be annexed to it, and belong thereunto; We give the ſame Commiſſion, with its Incidences, Dependencies, Annexities, and Connexi-

ſuce-

ſucedieren en la dicha comiſſion, por razon de los emolumentos que dà la dicha Nacion, por la ocupacion de ella. Fecha en *Madrid*, à veinte y ocho de *Agoſto*, de mil y ſeiſcientos y ſeſenta y ſiete años.

Yo la Reyna.

Por Mandado de ſu Mageſtad,

Bartolomè de Legaza.

ties; and Declare, that for this Grant you have paid the Duty de la media Anata, which imports Seven thouſand five hundred Maravedis; which ſaid Sum ſhall be paid by thoſe who ſhall ſucceed in the ſaid Commiſſion, on account of the Privileges which the ſaid Nation enjoyeth, and for the Uſe thereof. Done in *Madrid*, the Twenty eighth of *Auguſt*, of the Year One thouſand ſix hundred ſixty ſeven.

I the Queen.

By Command of Her Majeſty,

Bartolomè de Legaza.

EN *Sevilla* en treze de *Setiembre*, de mil y ſeiſcientos y ſeſenta y ſiete años, ſu Señoria el Señor Doctor Don *Rodrigo Serrano y Trillo*, del Conſejo de ſu Mageſtad, y ſu Regente en eſta Real Audiencia, aviendo viſto la Real Cedula de ſu Mageſtad, que Dios guarde, en que nombra à ſu Señoria por Juez Conſervador de la Nacion *Ingleſa*, ſu Señoria la obedecia, y obedeció con el reſpeto debido, y aceptó la juriſdiccion que por la dicha Real Cedula ſe le daba, y eſtà preſto de uſar de ella, y aſſi lo mando, y firmó.

Dr D. *Rodrigo Serrano y Trillo.*

Ante mi,

Antonio Gonçalez de Avellaneda, Eſcrivano.

IN *Sevilla* the Thirteenth of *September*, in the Year, One thouſand ſix hundred ſixty ſeven, his Lordſhip Don *Rodrigo Serrano y Trillo*, of the Council of her Majeſty, and her Regent in this Royal Court, having ſeen the Royal Cedula of her Majeſty, whom God preſerve, in which his Lordſhip is named for Judge Conſervator of the *Engliſh* Nation, his Lordſhip obeyed, and doth obey it with the due reſpect, and accepted the Juriſdiction, which by the ſaid Royal Cedula is given him, and is ready to comply therewith, and Firmed it.

D. *Rodrigo de Serrano y Trillo.*

Before me,

Antonio Gonçales de Avellaneda, Notary.

Y viſto todo por ſu Señoria el dicho Señor Regente, proveyó el auto del tenor ſiguiente,

All which being ſeen by his Lordſhip the ſaid Regent, he made an Act of the Tenor following, *viz.*

AUTO.

EN la Ciudad de *Sevilla* en dos dias del mes de *Julio*, de mil seiscientos y sesenta y ocho años, su Señoria el Señor Doctor Don *Rodrigo Serrano y Trillo*, del Consejo de su Mageſtad, y su Regente en la Real Audiencia de eſta Ciudad, Juez Conſervador de la Nation *Ingleſa*, aviendo viſto eſta peticion, y el teſtimonio de los privilegios concedidos a la dicha Nacion, mandò ſe imprima dicho teſtimonio, y las Cedulas de Conſervaturia de ſu Mageſtad, dadas al Señor Don *Geronimo de el Pueyo Araciel*, que fue del Conſejo de ſu Majeſtad, y ſu Regente que fue deſta Real Audiencia, Conſervador de dicha Nacion, y la dada a ſu Señoria para dicho efecto, juntamente con eſta peticion, y auto, ſignado, y firma do por el preſente Eſcrivano, ſe entreguen dichos teſtimonios impreſſos a dichos Conſules, para el efecto que los pide, en los quales en virtud deſte auto, ſu Señoria interpone ſu autoridad, y decreto judicial, para que valgan, y hagan fee à donde ſe preſentaren; y aſſi lo mandò, y firmò.

Doctor Don *Rodrigo Serrano y Trillo.*

Ante mi,

Antonio Gonçales de Avellaneda, Eſcrivano.

The ACT.

IN the City of *Sevilla*, on the Second Day of the Month of *July*, in the Year, One thouſand ſix hundred ſixty and eight, his Lordſhip Don *Rodrigo Serrano y Trillo*, of the Council of his Majeſty, and his Regent in the Royal Court of this City, Judge Conſervator of the *Engliſh* Nation, having ſeen the Petition, and the Teſtimony of the Privileges, granted to the ſaid Nation, commanded that the ſaid Teſtimony ſhould be Printed, and the Cedula of Conſervatorſhip from his Majeſty, given to Don *Geronymo de Pueyo Araciel*, who was of the Council of his Majeſty, and Regent of this Royal Court, Conſervator of the ſaid Nation, and that which was given his Lordſhip for the ſaid Effect, together with this Petition and Act, Signed and Firmed by the preſent Notary, that printed Certificates thereof, ſhould be delivered to the ſaid Conſul, for the Effect they require them, in the which, and by Virtue of this Act, his Lordſhip interpoſeth his Authority, and Judicial Decree, that it may be Valid, and given Credit to, where they ſhall be Preſented; and ſo Ordered and Firmed it.

D. *Rodrigo Serrano y Trillo.*

Before me,

Antonio Gonçales de Avallaneda, Notary.

Segun

Segun que lo susodicho consta, y parece de la dicha peticion, testimonio, y Cedulas, y para que conste, por mandado del Señor Regente, di el presente testimonio en *Sevilla* en ocho dias del mes de *Agosto* de mil y seiscientos y sesenta y ocho años. Y fize mi signo.

Antonio Gonçalez de Avellaneda.

According to the Tenor of the said Petition, Certificate, and Cedulas, That it may appear, I have given the present Certificate, by Order of his Lordship, the Regent, this 8th Day of the Month of *August*, One thousand six hundred sixty and eight, and have set my Seal thereunto.

Antonio Gonçales de Avellaneda.

PETICION.

DON *Juan Bater*, Diputado de la Nacion *Inglesa*, digo, que solicitando yo por dicha Nacion la busqueda de una Cedula de su Magestad, y Señores de su Real Consejo de *Castilla*, su data a doze de *Julio* del año passado de seiscientos y setenta y quatro, que habla dicha Cedula con D. *Francisco Diaz de Vallecilla*, Juez de comission, que vino a esta Ciudad a la visita de sacas, y cosas vedadas, en que se manda no puedan ser visitados los libros de los hombres de negocios de dicha Nacion. Dicha Cedula se ha hallado su copia, autorizada de *Joseph de Casas*, Escrivano Publico de la Ciudad de *Cadiz*, en poder de D. *Juan de Santa Cruz*, Agente de dicha Nacion, y residente, y vezino de *Madrid*, quien me la ha remitido, con encargo expresso de que se le buelva, para entegrarla a quien se la diò, y para que tenga toda la comprobacion que se requiere el traslado que intento

PETITION.

MR. *John Bater*, Deputy of the *English* Nation, declares, That sollici[t]ing for the said Nation, the searching for a Cedula from his Majesty, and the Lords of his Royal Council of *Castile*, dated the Twelfth of *July*, of the Year past, One thousand six hundred seventy and four, which said Cedula hath reference to Don *Francisco Diaz de Vallecilla*, Judge, which came to this City with a Commission to search after prohibited Goods, and things Exported, wherein it is Ordered, that the Merchants Books of the said Nation may not be visited. A Copy of the said Cedula hath been found Authorized by *Joseph de Casas*, Notary Publick of the City of *Cadiz*, in the power of D. *Juan de Santa Cruz*, Agent of the said Nation, residing, and an Inhabitant of *Madrid*, who hath delivered it to me with express Charge, that I return it to him, to deliver it to him, that gave it him,

ſacar del referido de dicha Real Cedula. A. V. S. pido, y ſuplico mande, que el preſente Eſcrivano de eſta commiſſion ſaque copia del traſlado de la dicha Real Cedula, para que quede en la Eſcrivania de dicha Nacion, para los caſos que ſe le ofrezcan, y ſe me buelva el traſlado de la dicha Real Cedula, para bolverla a remitir a quien me la remitiò. Pido juſticia, &c.

Don *Juan Bater*.

and that the Copy which I intend to take of the ſaid Royal Cedula, may have all the Comprobation that is neceſſary, I deſire and intreat your Lordſhip to order, That the preſent Notary in this Commiſſion, may take a Copy of the ſaid Royal Cedula, that it may remain in the Secretaries Office of the ſaid Nation, for the caſes that may offer, and that the Copy of the ſaid Royal Cedula, may be returned to me, that I may ſend it back to him, who ſent it me. I ask Juſtice, *&c.*

John Bater.

AUTO.

EL preſente Eſcrivano deſta comiſſion ſaque copia de la Real Proviſion que preſenta, con eſta peticion, para el efecto que en ella ſe dize, y fecho, ſe buelva à eſta parte, y en dicho traſlado ſu Señoria interponia, è interpuſo ſu autoridad, y decreto judicial, quanto ha lugar por derecho. Proveyólo el Señor Licenciado, Don *Lucas Trelles Villamiel*, del Conſejo de ſu Mageſtad, y ſu Oydor mas antiguo en la Real Audiencia de eſta Ciudad, y Juez Conſervador de la Nacion *Ingleſa*. En *Sevilla*, en cinco de *Julio* de mil y ſeiſcientos ochenta y nueve años.

Henrique Luyder.

ACT.

THat the preſent Notary of this City, may take out a Copy of the Royal Decree, that he preſented with this Petition, for the Effect he declareth therein, and having ſo done, return it to this Party, and in the ſaid Copy, his Lordſhip did interpoſe, and hath interpoſed his Authority, and Judicial Decree, as far as the Law permits, it was ordered by Don *Lucas Trelles Villamiel*, of his Majeſties Council, and his Elder Judge in the Royal Court of this City, Judge Conſervator of the *Engliſh* Nation. Done in *Sevilla*, the 6th Day of *July*, of the Year, One thouſand ſix hundred eighty nine.

Henrique Luyder.

Real Proviſion.

DON *Carlos*, por la Gracia de Dios, Rey de *Caſtilla*, de *Leon*, de *Aragon*,

Royal Decree.

DOn *Carlos*, by the Grace of God, King of *Caſtille*, of *Arragon*, of the Two

de las dos *Sicilias*, de *Jerusalem*, de *Navarra*, de *Granada*, de *Valencia*, de *Galicia*, de *Mallorca*, de *Sevilla*, de *Cerdeña*, de *Cordova*, de *Corcega*, de *Murcia*, de *Jaen*, Señor de *Vizcaya*, de *Molina*, &c. Y la Reyna Doña *Mariana de Austria*, su Madre, como su Tutora, y Curadora, y Governadora de dichos Reynos, y Señorios; A vos el Licenciado Don *Francisco Diaz de Vallecilla*, nuestro Jues de comission para la visita, sacas, y cosas vedadas de la Ciudad de *Sevilla*, y sus partidos, salud, y gracia: sepades, que el Embaxador de la *Gran Bretaña*, nos ha representado aveis hecho notificar a los hombres de negocios de la Nacion *Inglesa* de essa Ciudad aviais de visitar, y registrar, y aun rubricar los libros, y papeles de su trafico, y correspondencia, aviendo sido dicho procedimiento una manifiesta contravencion de lo que se havia capitulado por las pazes, mayormente en el capitulo treinta y uno de ellas, en que estava establecido, y ajustado todo lo que tocaba a los dichos libros, la libertad de que los tuviessen en la lengua que quisiessen; y en particular de que no pudiessen dichos negociantes el que fuessen inquiridos, ni multados por ningun modo por ellos, ni los dichos libros registrados, ni sacados de su poder, con cuya ocasion avian recurrido los de la dicha Nacion a Don *Carlos de Herrera Ramirez de Arrellano*, Regente de la nuestra Audiencia de essa Ciudad, y Assistente de ella, Juez Conservador de la dicha Nacion *Inglesa*, pidiendo como tal Juez despachasse su carta inhibitoria, inserto el referido capitulo de las pazes, para que os inhibiessedes de vuestro procedimiento, guardassedes, y cumpliessedes lo contenido en dicho capitulo, y no inquietassedes, ni pertur-

Sicilias, of *Jerusalem*, of *Navarre*, of *Granada*, of *Valencia*, of *Galicia*, of *Mallorca*, of *Sevilla*, of *Cerdeña*, of *Cordova*, of *Corcega*, of *Murcia*, of *Jaen*, Lord of *Biscay*, of *Molina*, &c. the Queen *Doña Mariana de Austria*, his Mother, as his Tutress, Guardianess, and Governess of the said Kingdoms and Dominions; To you Don *Francisco Diaz de Vallecilla*, our Judge in Commission for the visit of Exportations, and things Prohibited in the City of *Sevilla*, and its Districts, Send Greeting: Know ye, That the Ambassador of *Great Britain* hath Represented to us, that you have caused to be notified to the Merchants of the *English* Nation of this City, that you would search and Register, and even mark the Books and Papers of their Traffick and Correspondency, which said Proceeding hath been a Manifest contravention of what hath been Agreed to by the Articles of Peace, especially, in the One and thirtieth Article thereof, in which it was Established and Agreed, to all that relates to the said Books, that they might have liberty to keep them in what Tongue they pleased, and in particular, that the said Merchants might not be Examined, nor upon any account whatsoever Fined by them, nor the said Books Registred, nor taken from them, upon which occasion, those of the said Nation have had recourse to Don *Carlos de Herrera Ramirez de Arellano*, Regent of our Court of this City, and Governor thereof, and Judge Conservator of the said *English* Nation, requiring him, as such Judge, that he would dispatch his Letter of Inhibition, inserting the aforesaid Article of Peace, that you might desist from your Proceedings, and keep and observe what is contained in the said Article, and might not dis-

bassades à los de la dicha Nacion, como con efecto avia despachado dicha Inhibitoria, sin embargo de la qual os oponiades, y perseveravades en vuestro primer proposito, y se tenia noticia solicitavades refuerço de comission, y autoridad para proseguir vuestro intento, en que parecia atendiad es mas a vuestro particular interès, que a ninguna conveniencia que pudiesse resultarnos de la dicha molestia a los comercientantes, y violacion del dicho tratado, suplicandonos nos sirviessemos de proveer de remedio, y os mandassemos cessassedes; y sobrecediessedes en vuestro procedimiento, y pretension, y cumpliessedes con la inhivicion que se os avia puesto, no debiendo sacrificarse intereses tan publicos al particular de ninguno, y juntamente despachassemos orden para que todos, y qualesquier Juezes observassen los capitulos de las pazes entre las dos Coronas, y que sin pretexto alguno no se entrometiessen en el conocimiento de las causas de los *Ingleses*, ni se arrojassen à jurisdicion alguna sobre los susodichos, sino era sus Juezes Conservadores; y visto por el de nuestro Consejo, y el capitulo referido, que es del tenor siguiente; 'Los habitantes, 'y suditos de una parte, y otra podràn 'en todàs las partes de las tierras de 'la obediencia de dichos Señores Reyes, 'valerse de los Abogados, Procuradores, 'Escrivanos, y Solicitadores, que mejor 'les pareciere, à los quales podràn en'cargar sus pleytos, por consentimiento 'de los Juezes Ordinarios quando fuere 'necessario, y la parte litigante lo pidi'ere, y no seràn constreñidos de exhivir 'sus libros, y papeles de cuentas a al'guna persona, no siendo parada eviden'cia, para evitar pleytos, y controversias, 'ni seràn embargados, detenidos, ni sa-

quiet, and disturb those of the said Nation, as in effect he had dispatched the said Inhibition, notwithstanding which, you have opposed and persevered in your first Intent, and there was Notice, that you were soliciting a stronger Commission and Authority, to prosecute your Intent, in which it seems you had more regard to your particular Interest, than the Inconveniency which might result to us, from the said trouble given the Merchants, and the violating of the said Treaty, desiring, that we would be pleased to provide a Remedy, and command you, that you would cease and forbear your Proceedings, and Pretensions, and comply with the Inhibition I have laid on you, for such Publick Concerns ought not to be Sacrificed for Private Ends; and likewise, that we would send an Order, that all Judges whatsoever shall observe the Articles of Peace between the Two Crowns, and that under no Pretence they shall intermeddle, or take Cognizance of the Causes relating to the *English* Nation, nor presume to any Jurisdiction over them, unless it be their Judges Conservators; and the Article which is referred to it, having been Perused by our Council, is of the Tenor following, *viz.* 'The In'habitants and Subjects of the one Part 'and the other, may in all Parts or Ter'ritories, under the Obedience of the 'said Kings, make use of Advocates, 'Proctors, Notaries, and Solicitors, 'which they shall best think fit, to whom 'they may give Charge of their Law 'Suits, by Consent of the Judges in or'dinary, when it shall be necessary, and 'the Plaintiffs shall require it; and they 'shall not be constrained to Exhibit their 'Books and Papers of Account, to any 'Person, unless it be to make Proof to

‘ cados de ſus manos, por ninguna cauſa ‘ que ſea ; y ſerà permitido a los ſubdi- ‘ tos, y habitantes de una, y otra parte en ‘ los lugares donde tuvieren ſu reſiden- ‘ cia, que los libros de ſu trafico, y correſ- ‘ pondencia ſean, en la lengua que quiſie- ‘ ren, en *Eſpañol*, *Ingles*, *Flamenco*, ò otras, ‘ ſin que por eſto puedan ſer moleſtados, ‘ ni inqueridos con lo demàs concedido a ‘ qualquiera otra Nacion en particular de ‘ dichos libros de ſu trafico, y correſpon- ‘ dencia.’ Se acordò debiamos de mandar dar eſta nueſtra Carta para vos, en en la dicha razon, y nos lo tuvimos por bien, por la qual os mandamos, que ſiendoos moſtrada, veais el dicho capitulo que de ſuſo và incorporado, y le guardeis, cumplais, y executeis en todo, y por todo como en èl ſe contiene, ſin le contravenir con pretexto alguno, y no fagades en deal pena de la nueſtra merced, y de veinte mil Maravedis para la nueſtra Camara ; y mandamos ſo la dicha pena à qualquier Eſcrivano que fuere requerido con eſta nueſtra Carta, os lo notifique, y dè teſtimonio de ello. Dada en *Madrid*, à doze dias del mes de *Julio*, de mil y ſeiſcientos y ſetenta y quatro años.

El *Condo de Villa Umbroſa*.
Lic. D. *Gil de Caſtejon*.
Lic. D. *Alonſo de los Rios Angulo*.
Lic. Don *Antonio de Riaño y Salamanca*.
Lic. D. *Martin de Olea*.

YO *Miguel Fernandes* de *Noriega*, Secretario de ſu Magiſtad, y ſu Eſcrivano de Camara, la fize eſcrivano, por ſu

‘ avoid Law Suits and Controverſies, nor ‘ ſhall they be Attacked, Detained, nor ‘ Taken out of their Hands, for any Cauſe ‘ whatſoever, and it ſhall be Lawful for ‘ the Subjects and Inhabitants of the one ‘ Part and the other, in the Places where ‘ they ſhall have their Reſidence, that ‘ they may keep their Books of Traffick, ‘ and Correſpondency in what Tongue ‘ they will, in *Spaniſh*, *Engliſh*, *Flemiſh*, ‘ or any other, without that by reaſon ‘ hereof they may be Moleſted, or Ex- ‘ amined, with what elſe is Granted to ‘ any other Nation in particular, rela- ‘ ting to the ſaid Books of Traffick, or ‘ Correſpondency ; ’ And we having thought good for the ſaid Reaſons, that we ought to ſend you this our Letter, by which we Command you, that upon Exhibiting to you the abovesaid recited Article, that you Obſerve, Accompliſh, and Execute the ſame in all, and thro' all, as is therein contained, without Contravening it under any Pretext whatſoever, and a Penalty of Twenty thouſand Maravedis for our Exchequer; and we Command under the ſaid Penalties any Notary whatſoever, who ſhall be required to Notifie you with this our Letter, to give you a Certificate thereof. Given in *Madrid*, the Twelfth day of *July*, of the Year, One thouſand ſix hundred ſeventy and four.

The Count de *Villa Umbroſa*.
Doctor *Gil. de Caſtejon*.
Don *Alonſo de los Rios Angulo*.
Don *Antonio de Riano y Salamanca*.
Don *Martin de Olea*.

I *Miguel Fernandes de Noriega*, his Majeſties Secretary of State, and of the Council, ordered this to be Written by

Man-

Mandado, con acuerdo de los de su Consejo. Registrada.

D. *Pedro de Castañeda*, Chanciller Mayor.
Don *Pedro de Castañeda*.

COncuerda con su Original, que al presente queda en los papeles de mi el presente Escrivano de su Magestad, y de la Audiencia, y juzgado del Tenor Teniente D. *Miguel Garcia de Arce*, à que me refiero, de donde saquè este traslado de pedimento de la parte de los hombres de negocios de la Nacion *Inglesa* de esta Ciudad de *Sevilla*, en ella en veinte y nueve dias del mes de *Agosto*, de mil y seiscientos y setenta y quatro años, en este pliego de papel del sello tercero, y otro intermedio de papel comun. Y en fee de ello lo signè, y firmé. En Testimonio de verdad,

Juan de la Barrera, Escrivano.

COncuerda con la copia original, que signada, y firmada del dicho *Juan de la Barrera*, Escrivano, exhiviò ante mi D. *Carlos Ruzel*, hombre de negocios de la Nacion *Inglesa* en esta Ciudad, à quien la bolvi, y firmò aqui su recibo, y de su pedimento lo signè, y firmè en *Cadiz*, en quinze de *Abril*, de mil y seiscientos, y ochenta años.

Carlos Ruzel.

En testimonio de verdad,
Joseph de Casas, Escrivano Publico.

COncuerda con la peticion, y auto, y copia traslado de traslado de la Real Provision, a que me refiero, y saquè en virtud del dicho auto, y bol-

his Commands, and with Consent of his Council. Registred by

D. *Pedro de Castañeda*, High Chancellor.
D. *Pedro de Castañeda*.

AGreeth with the Original, which at present remains amongst the Papers of me the present Notary for his Majesty, and the Court, whereof Don *Miguel Garcia de Arce* is Judge, to which I refer my self, from whence was taken the Copy at the Request, and in the behalf of the Merchants of the *English* Nation of this City of *Sevilla*, the Twenty ninth Day of the Month of *August*, of the Year, One thousand six hundred seventy and four, contained in this Sheet of Stampt Paper, and another of common Paper. In Witness hereof I Signed and Firmed it. In Testimony of the Truth,

Juan de la Barrera, Notary.

AGrees with the Original Copy, Signed and Firmed by the said *Juan de la Barrera* Notary, Exhibited before me Don *Carlos Russel*, Merchant of the *English* Nation in this City, to whom I returned it, and he Firmed here his Receipt, and at his Request I Signed and Firmed it in *Cadiz*, the 15th day of *April*, of the Year, One thousand six hundred and eighty.

Charles Russel.

In Testimony of the Truth,
Joseph de Casas, Notary Publick.

AGrees with the Petition, and Act, and Copy of the Abstract drawn of the Royal Decree, to which I refer my self; which I took out by Virtue

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vi dicha copia de traſlado de dicha Real Proviſion à Don *Juan Bater*, Diputado do dicha Nacion *Ingleſa* de eſta Ciudad de *Sevilla*, en ella en cinco de *Julio*, de mil y ſeiſcientos y ochenta y nueve años. enm$^{do.}$ b. c. L. b. L. c. valga. tt$^{do.}$ da. licenc. no valga.

Juan Bater.
Henrique Luiders.

CONcuerda eſte tranſlado con las Reales Cedulas, Peticiones, y Autos de donde fue ſacado, que para eſte efecto ante mi *Alonſo del Pino y Alçola*, Eſcrivano Publico del numero deſta Ciudad de *Sevilla*, exhibiò D. *Juan Joſeph del Pino y Alçola*, vezino deſta Ciudad, y Agente de la Nacion *Ingleſa*, hombres de negocios que reſiden en ella, y con eſte dicho traſlado bolviò à ſu poder todo lo referido, y ſu recibo firmò aqui de ſu nombre. Fecho en *Sevilla* en quatro de *Agoſto*, de mil y ſeiſcientos y noventa años.

Don *Juan Joſeph del Pino y Alçola.*
E fize mi ſigno,

Alonſo del Pino, Eſcrivano Publico de *Sevilla.*

LOS Eſcrivanos Publicos del numero de eſta Ciudad de *Sevilla*, que aqui firmamos, damos fee, que *Alonſo del Pino y Alçola*, de quien eſte traſlado eſtà ſignado, y firmado, es Eſcrivano publico de *Sevilla*, y a las eſcrituras, y demàs inſtrumentos que ante el ſuſo dicho han paſſado, y paſſan, ſe les ha dado, y dà entera fee, y credito en juizio, y fuera dèl. Fecho en *Sevilla* en quatro de *Agoſto*, de mil y ſeiſcientos y noventa años.

of the ſaid Act, and returned the ſaid Copy of the ſaid Royal Decree to Don *John Bater*, Deputy of the *Engliſh* Nation, of this City of *Sevilla*, the Fifth of *July*, One thouſand ſix hundred eighty and nine.

John Bater.
Henry Leyder.

THis Copy agrees with the Royal Cedulas, Petitions, and Acts from whence it was drawn, and for that purpoſe, D. *Juan Joſeph de Pino y Alçola*, Inhabitant of this City, Agent of the *Engliſh* Nation, and Merchants which reſide therein, did exhibit it before me *Alonſo del Pino y Alçola*, Notary Publick of this City of *Sevilla*, and with the ſaid Copy I returned to him all the aforeſaid, and the Receipt thereof he hath put his Name to. Done in *Sevilla*, the Fourth Day of *Auguſt*, of the Year, One thouſand ſix hundred and ninety.

Signed,
Don *Juan Joſeph del Pino y Alçola.*
Alonſo del Pino, Notary Publick of *Sevilla.*

WE the Notary Publicks, of the number of this City of *Sevilla*, who have hereunto Subſcribed, do Certifie that *Alonſo del Pino y Alçola*, by whom this Copy is Signed and Firmed, is a Notary Publick of *Sevilla*, and that to the Writings and Inſtruments, which before the aboveſaid have paſſed, and do paſs, hath been given and is given entire Faith and Credit in Court and out of it. Done in *Sevilla* the Fourth Day of

Joſeph

Joseph Lopez Albarran, Escrivano Publico de *Sevilla*.

Pedro Prieto, Escrivano Publico de *Sevilla*.

Toribio Fernandez, Escrivano Publico de *Sevilla*.

Concuerda este traslado con el de donde se sacò, que para efecto de sacar esta copia exhiviò ante mi D. *Guillermo Hodges*, hombre de negocios en el comercio desta Ciudad, à quien lo bolvì y firmò aqui su recibo; y de su pedimento le doy el presente escrito en treinta fojas con esta, primero, y ultimo pliego del sello segundo, y las demàs de papel comun. En *Cadiz*, a diez y nueve dias del mes de *Setiembre*, de mil seiscientos y noventa y dos años. em^do^ Prov. os. s. ido. vale. tod. por. y. no vale.

Guillermo Hodges.

En Testimonio de verdad,

Francisco del Solar, Escrivano Publico.

Damos fee, que *Francisco del Solar*, de quien este traslado và signado, y firmado, es Escrivano Publico del numero desta Ciudad de *Cadiz*, fiel, legal, y de confiança, y a sus testimonios, y demàs despachos siempre se ha dado, y dà entera fee en juizio, y fuera dél. *Cadiz*, ut supra.

Pedro de Garnica, Escrivano.

Juan de Galves Trexo, Escrivano Publico.

Juan Ortiz, Escrivano.

Los hombres de negocios en el comercio de esta Ciudad de *Cadiz*, que aqui firmamos, certificamos, que

August, of the Year, One thousand six hundred and ninety.

Joseph Lopez Albarran, Notary Publick of *Sevilla*.

Pedro Prieto, Notary Publick of *Sevilla*.

Toribio Fernandez, Notary Publick of *Sevilla*.

This Copy agrees with that from whence it was drawn, which was exhibited to me, by Sir *William Hodges* of this City, Merchant, in order to give an Abstract thereof to whom I returned it, and he Signed here his Receipt; and at his Request, I have given these Presents, written in Thirty Leaves, with this, the first and last Sheet being Stampt, and the rest Common Paper. In *Cadiz*, the Nineteenth Day of the Month of *September*, of the Year, One thousand six hundred ninety and two.

William Hodges.

In Testimony of the Truth,

Francisco del Solar, Notary Publick.

We do certifie, That *Francisco del Solar*, by whom this Copy goes Signed and Markt, is a Notary Publick, of the number of this City of *Cadiz*, Faithful, Legal, and of Trust, and that to his Testimonies and other Dispatches always hath been given, and is given, entire Faith and Credit in Court, and out of it. *Cadiz*, as above.

Pedro de Garnica, Notary.

Juan Galves Trexo, Notary Publick.

Juan Ortiz, Notary.

We the Merchants of this City of *Cadiz*, which have hereunto Subscribed do Certifie, That *Francisco del So-*

Fran-

Franciſco del Solar, de quien và ſignado, y firmado eſte traſlado, y los tres que le comprueban, todos quatro ſon Eſcrivanos en eſta Ciudad, fieles, legales, y de confianza, y a ſus teſtimonios, y demàs deſpachos ſiempre ſe ha dado, y dà entera fee, y credito en todos juicios. *Cadiz*, ut ſupra.

ESTA Copia que conſta de diez y ochas Foxas con eſta, concuerda con la que Exhiviò ante mi Don *Carlos Ruzel* de la dicha Nacion *Ingleſa*, Vecino deſta Ciudad a que me refiero y una, y otra ſe la bolvi à entregar, y firmo aqui ſu recibo, y de ſu pedimento ſignè y firmè eſta en la Ciudad de *Cadiz*, a catorze dias del mes de *Agoſto*, de mil ſeiſcientos y noventa y cinco años. En Teſtimonio de verdad,

Juan Antonio de Torres, Eſcrivano Publico.

lar, by whom this Copy is Signed and Markt, and the Three which prove him, are all Four Notaries of this City, Faithful, Legal, and of Truſt, and that to their Teſtimonies and Diſpatches always hath been given, and is given entire Faith and Credit in all Courts. *Cadiz*, as above.

THis Copy which conſiſts of Eighteen Leaves with this, agrees with that which was Exhibited to me by Mr *Charles Ruſſell* of the *Engliſh* Nation, Inhabitant of this City, to which I refer my ſelf, and I returned him the one and the other, and he hath given here his Receipt, and at his Requeſt I have Signed and Rubrick'd theſe Preſents in the City of *Cadiz*, the Fourteenth Day of the Month of *Auguſt*, of the Year, One thouſand ſix hundred ninety five. In Witneſs of the Truth,

Juan Antonio de Torres, Notary Publick.

SPondent mutuò Regiæ ſuæ Majeſtates, ſeſe omnes & ſingulos Tractatûs antecedentis Articulos, & quæcunque in iiſdem, ut & Schedulis annexis, Privilegia, Conceſſiones, Concordata, aliáve cujuſcunque generis ad Subditos utrinque redundantia beneficia continentur, bonâ fide præſtituras, & adimpleturas; utque à Miniſtris ſuis & Officialibus aliiſque Subditis præſtentur & adimpleantur, omni tempore curaturas; ita ut plenario eorundem omnium & ſingulorum effectu, iis ſolummodò exceptis, de quibus in ſequentibus Articulis ad reciprocam Satisfactionem alitèr ſtatutum eſt, ut & eorum omnium quæ in Articulis ſequentibus continen-

THeir Royal Majeſties do mutually promiſe, that they will faithfully perform and fulfil all and every one of the Articles of the foregoing Treaty, and all Privileges, Conceſſions, Agreements, or other Advantages whatſoever, ariſing to the Subjects on either ſide, which are contained in them, or in the annexed Schedules; and that they will at all times cauſe the ſame to be performed and fulfilled by their Miniſters, Officers, or other Subjects, ſo that the Subjects on each ſide may enjoy the full Effect of all and every one of them, (thoſe only excepted, concerning which ſome thing elſe ſhall be Eſtabliſhed in the following Arti-

tur,

tur, Subditi hinc inde gaudeant in poſterum, & fruantur. Confirmatur inſupèr & de novo ratihabetur Tractatus Anno 1670. inter Coronas *Magnæ Britanniæ* & *Hiſpaniæ*, pro tollendis Diſſidiis, Deprædationibus reſtringendis, ſtabiliendâque Pace in *Americâ*, inter dictas Coronas initus, ſine Præjudicio nihilominùs Contractûs alicujus, aliúſve Privilegii aut Licentiæ Reginæ *Magnæ Britanniæ*, ejúſve Subditis, per Majeſtatem ſuam Catholicam conceſſis in Tractatu Pacis nuperrimè concluſæ, aut in Contractu *de Aſſiento*, atque etiam abſq; Præjudicio Libertatis, aut Facultatis alicujus Subditis *Britannicis* antea ſive competentis, ſive permiſſæ, aut indultæ.

II.

Subditi Regiarum ſuarum Majeſtatum in Dominiis earundem alterutrinque Mercaturam facientes, non tenebuntur majora pro Mercibus ab ipſis importatis exportandíſve, Vectigalia, aliáve Onera quæcunque ſolvere, quam quæ à Subditis amiciſſimæ cujuivis Gentis exigentur, & ſolventur; ac ſi quæ Vectigalium Diminutiones, aliáve Beneficia exteræ cuivis Genti ab unâ alterâve parte concedi in poſterum contigerit, iiſdem quoque utriuſque Coronæ Subditi reciprocè & pleniſſimè gaudebunt. Et ſicuti circa Vectigalium Rationes, uti ſuprà conventum, ita etiam pro Regulâ generali inter Regias ſuas Majeſtates ſtatutum eſt, quod omnes & ſinguli ipſarum Subditi in omnibus Terris Locíſque hinc indè earundem Imperio Subjectis, circa omnes Impoſitiones aut Vectigalia quæcunque, Perſonas, Merces, Mercimonia, Naves, Naula, Nautas, Navigationem & Commercia concernentia, iiſdem ad minimùm Privile-

cles, to the mutual Satisfaction of each Party) and of all thoſe likewiſe which are contained in the following Articles. Moreover the Treaty of 1670. made between the Crowns of *Great Britain* and *Spain*, for preventing all Differences, reſtraining Depredations, and Eſtabliſhing Peace between the ſaid Crowns in *America*, is again Ratified and Confirmed, without any Prejudice however to any Contract, or other Privilege or Leave granted by his Catholick Majeſty to the Queen of *Great Britain* or her Subjects, in the late Treaty of Peace, or in the Contract of *Aſſiento*, as likewiſe without Prejudice to any Liberty or Power, which the Subjects of *Great Britain* enjoyed before, either through Right, Sufferance or Indulgence.

II.

The Subjects of their Majeſties, Trading reſpectively in the Dominions of their ſaid Majeſties, ſhall not be bound to Pay greater Duties, or other Imports whatſoever, for their Imports or Exports, than ſhall be exacted of, and paid by the Subjects of the moſt favoured Nation; and if it ſhall happen in time to come, that any Diminutions of Duties, or other Advantages ſhall be granted by either ſide, to any Foreign Nation, the Subjects of each Crown ſhall reciprocally and fully enjoy the ſame. And as it has been Agreed, as is above mentioned, concerning the Rates of Duties, ſo it is Ordained as a General Rule between their Majeſties, that all and every one of their Subjects ſhall, in all Lands and Places ſubject to the Command of their reſpective Majeſties, uſe and enjoy, at leaſt the ſame Privileges, Liberties and Immunities, concerning all Impoſts or Duties whatſoever, which relate to Perſons, Wares,

giis, Libertatibus, & Immunitatibus utantur, fruantur, parique favore in omnibus gaudeant, tàm in Curiis Justitiæ, quàm in iis omnibus quæ sive Commercia, sive aliud Jus quodcunque respiciunt, quibus amicissima quævis Gens extera utitur, fruitur, gaudétque, aut in posterum uti, frui, aut gaudere possit, prout in Articulo 38° Tractatûs de Anno 1667. in Articulo præcedente speciatim inserti, fusiùs explicatur.

III.

Quandoquidem per Tractatum Pacis inter Regias suas Majestates nuperrimè conclusum, pro Basi & Fundamento positum & stabilitum fuerit, quod Subditi *Britannici* per omnia in Regnis *Hispaniæ*, iisdem uterentur & fruentur Privilegiis, & in re Commerciorum Libertatibus, quibus tempore *Caroli* Secundi gavisi sunt; eaque proindè Regula Tractatûs præsentis Commerciorum Basis paritèr & Fundamentum sit, & esse debeat, quod & reciprocè quoad Subditos *Hispaniæ* in *Magnâ Britanniâ* commercantes intelligitur, in iis omnibus quæ ipsis per Pacta competunt: Cumque ad Commerciorum Rationes ritè & mutuâ cum Utilitate constituendas, plurimùm faciat Vectigalium pendendorum certa, clara, & maximè expedita Methodus; Conventum proindè & conclusum est, quod intra trimestre spatium à ratihabito hoc Tractatu, *Madriti* vel *Gadibus* convenient ex parte utriusque Regiæ Majestatis Commissarii, ad id hinc indè designandi & constituendi, quorum Operâ componatur, absque omni temporis dispendio, Index sive Catalogus novus, qui in unoquoque Portu prostabit publicè, quique Vectigalia super Mercibus in *Castiliam, Arragoniam, Valentiam* & *Catalauniam* introdu-

Merchandize, Ships, Freighting, Mariners, Navigation and Commerce, and enjoy the same Favour in all things (as well in the Courts of Justice, as in all those things which relate to Trade, or any other Right whatsoever) as the most favoured Nation uses and enjoys, or may use and enjoy for the future, as is Explained more at large in the 38th Article of the Treaty of 1667. which is specially inserted in the foregoing Article.

III.

Whereas by the Treaty of Peace lately concluded between their Royal Majesties, it was laid as the Basis and Foundation of the said Treaty, That the Subjects of *Great Britain* should use and enjoy the same Privileges and Liberty of Trade throughout all the Dominions of *Spain*, which they enjoyed in the Time of *Charles* the Second; And therefore the same Rule is likewise and ought to be the Basis and Foundation of the present Treaty of Commerce (which is understood to extend reciprocally to the Subjects of *Spain* Trading in *Great Britain*, in regard to whatsoever, by Agreement, belongs to them:) And whereas a certain, clear, and expeditious Method of paying the Duties is of the greatest use in settling Trade upon a good Foot, and to the mutual Advantage of each Nation; It is therefore Agreed and Concluded, That within the space of Three Months from the Ratification of this Treaty, Commissaries appointed for that purpose by their respective Majesties, shall meet on the part of each of their Royal Majesties, either at *Madrid* or *Cadiz*; By whom a New Book of Rates shall, without any delay of time, be made, which Book of Rates shall be Published in every

cendis,

cendis, aut indè avehendis, in poſterum pendenda ſpeciatim exprimat, & contineat, & eo modo conſtituat, ut in unum reducantur, & in uno Vectigali & unâ in ſummâ pendenda contineantur omnia varia Onera, quæ tempore nuperi Regis *Caroli* Secundi, variis ſub Nominibus, & in diverſis Teloniis, ſuper Mercibus intrantibus aut exeuntibus in Portubus *Hiſpaniæ*, comprehenſis etiam Regnis *Arragoniæ* & *Valentiæ*, Principatúque *Catalauniæ*, exceptis tantummodò *Guipuſcoâ* & *Biſcayâ*, de quibus infrà dicetur, ſoluta erant.

Cum autem per Legatum *Britannicum* quàm inſtantiſſimè poſtulatum fuerit, ut dictis Commiſſariis pro Regulâ præſcriberetur, illud in novo Indice præprimis curare, ne per eundem majora ulla Vectigalia, aliáve Onera quæcunque in Portu aliquo, ſive Maritimo, ſive Terreſtri, intra Regis Catholici Dominia, exigenda & ſolvenda in poſterum ſint, quàm quæ in Teloniis Portûs *Sanctæ Mariæ* aut *Gadium*, regnante nupero Rege *Hiſpaniarum Carolo* Secundo, ſoluta fuerint; Conſenſerunt Legati *Hiſpaniæ*, adeoque conventum & ſtipulatum eſt, quod nempè quoad ipſos Portus *Gadium* & *Sanctæ Mariæ*, ea obſervetur Regula; ita ut ceſſante & ſublatâ omni Vectigalium Augmentatione, quæ poſt tempus *Caroli* Secundi, ex occaſione Belli, ſive ſub Habilitationis nomine, aliove quocunque ibidem introducta forſitàn fuit, Subditi *Britannici* in Portubus *Sanctæ Mariæ* & *Gadium*, pro Mercibus advectis vel avehendis nulla majora Onera cujuſcunque generis, aut ſub quocunque Titulo, ſive ante ſive poſt confectos di-

Port, and ſhall contain, and ſeverally expreſs the Duties which are hereafter to be paid for Wares brought into, or carried out of *Caſtile*, *Arragon*, *Valencia*, and *Catalonia*, and ſhall ſettle them in ſuch a manner, that all the different Impoſts which, in the Time of the late King *Charles* the Second were paid under ſeveral Names, and in different Cuſtom-houſes, for Wares entring into or going out of the Ports of *Spain* (the Kingdoms of *Arragon* and *Valencia*, and the Principality of *Catalonia* being comprehended therein, *Guipuſcoa* and *Biſcaya*, of which mention ſhall be made hereafter, only excepted) ſhall be put together and be contained in one Duty, and payable only in one Sum.

But whereas the *Britiſh* Ambaſſador made preſſing Inſtances, that it might be given as a Rule to the ſaid Commiſſaries, that no greater Duties, or other Impoſts whatſoever, ſhould be made payable in any Port, wet or dry, in his ſaid Catholick Majeſties Dominions by the ſaid New Book of Rates, than what were paid in the Cuſtom-houſes of the Port of St. *Mary*'s or *Cadiz*, in the Reign of the late King of *Spain Charles* the Second; the Ambaſſadors of *Spain* have Conſented, and it is Agreed and Stipulated, That that Rule ſhall be obſerved in thoſe very Ports of *Cadiz* and St. *Mary*'s; So that all Augmentations of Duties which were introduced in the ſaid Ports after the Time of *Charles* the Second, on occaſion of the War, or under the Title of *Habilitation*, or any other whatſoever, ceaſing and being taken away, the *Britiſh* Subjects ſhall not, before or after the ſaid Book of Rates is ſettled, be bound to pay any greater Duties, of what ſort ſoever, or under what name ſoever, for their Imports or

ctos Indices, solvere tenebuntur, quam quæ ibidem tempore *Caroli* Secundi soluta fuerunt.

Exports in the Ports of St. *Mary*'s and *Cadiz*, than what were paid there in the Time of King *Charles* the Second.

Dictis proindè Commissariis illud præprimis, quoad Portus *Sanctæ Mariæ* & *Gadium* observandum injungetur, ne in novis Indicibus conficiendis ad Indices Vectigalium antiquos, qui propter exorbitantium Jurium per ipsos constitutorum tempore *Caroli* Secundi in usu esse desierant, sese conforment, sed ductum eorum tantummodò Indicum sequantur, quos sive vulgo *Arancel*, sive Registros nuncupatos, tempore *Caroli* Secundi substitisse, & secundum quos Vectigalia soluta fuisse, compertum fuerit.

Moreover in regard to the Ports of St. *Mary*'s and *Cadiz*, the said Commissaries shall be strictly enjoyned not to make the New Book of Rates according to the Old Indexes of Duties, which, by reason of the exorbitant Rights that were appointed to be paid by them, ceased to be in use in the Time of *Charles* the Second, but shall follow the Tenor of those Indexes only, (which whether they were commonly called Arancel or Registers) shall be found to have subsisted in the Time of King *Charles* the Second, and to have been the Rule by which the Duties were then paid.

Quinetiam conventum paritèr est, quod Subditis *Britannicis* liberum omninò erit, Merces post soluta pro iisdem in dictis Portubus Vectigalia, ea nempè quæ, donec Indices supradicti conficiantur, tempore *Caroli* Secundi soluta erant, aut quæ postea ad dictorum Indicum Tenorem pro Mercibus advectis pendenda fuerint, Terrâ Marive transferre ad alium quemvis Dominiorum *Hispaniæ* antedictorum Portum aut Locum, neque eâ occasione Vectigalia antea soluta, ullo modo ab ipsis exigentur.

And it is further Agreed, That the Subjects of *Great Britain*, having paid these Duties for their Wares in the said Ports, to wit, those, until the New Indexes are made, which were paid in the Time of *Charles* the Second, or else such as shall be made payable by the said New Book of Rates, shall have Liberty to Transport the said Wares, either by Sea or Land, into any other Port or Place of the aforesaid Dominions of *Spain*, nor shall the Duties which were paid before be re-exacted on that occasion.

Quinetiam ad præcidendas quascunque Lites, quales non obstante exactâ aliàs Justitiæ in *Hispaniâ* Administratione, ortas olim esse constat, respectu aliorum Onerum, maximo cum Commercantium Incommodo, & Commerciorum Præjudicio aliquando exactorum; Conventum est quod Merces pro quibus Vectigalia, prout antedictum est, *Gadibus*, aut in Portu *Sanctæ Mariæ* soluta fuerunt, & quæ in magnâ Mercaturâ, vulgò *en gros*,

Moreover for preventing all Disputes, which (notwithstanding the exact Administration of Justice in *Spain* in all other respects) have formerly arisen concerning other Duties, which, to the great Prejudice of Trade and Traders, have been exacted formerly; It is Agreed, That Wares which have paid the Duties in the manner aforesaid at *Cadiz*, or the Port of St. *Mary*'s, and are Transported in order to be sold by ven-

vendendæ transportatæ fuerint, ab omni alio Onere quocunque per totam *Hispaniam* liberæ & immunes erunt. Ita tamen ut Mercium Proprietarius, aut Institor Testimonia adducat, quæ Vectigalium, prout præfertur, ritè solutorum fidem faciant; sin secùs fiat, Merces per Fraudem transferri censebuntur. Respectu verò solutionis Jurium *de Alcavalos, Cientos & Millones*, vulgò nuncupatorum, conventum est, quod circa eadem Jura, secundum Tenorem Articulorum hujus Tractatûs Quinti & Octavi agendum fit.

Quoniam verò Legati *Hispanici* persuasum sibi habuerunt, illæsis Regni *Hispaniæ* Legibus, variisque ibidem Privilegiis vim Legis habentibus, atque etiam absque nimio Regis & Domini sui Præjudicio, componi non posse Vectigalia in unoquoque *Hispaniæ* Portu ad Normam eorum quæ *Gadibus* aut in Portu *Sanctæ Mariæ* obtinuerunt, aut obtinere possint; visum proindè est istam materiam Commissariis, qui novis Indicibus conficiendis adhibiti erunt, ventilandam & decernendam relinquere.

Spondet autem Rex Catholicus, tollendas statim in dictis Portubus omnes Vectigalium Augmentationes, quæ post tempus *Caroli* Secundi, ex occasione Belli, sive sub Habilitationis nomine, aliove quocunque, ibidem introductæ forsitàn fuerunt, tum etiam quod aut eadem statuetur in dictis Portubus Regula, de quâ respectu *Gadium* & Portûs *Sanctæ Mariæ* conventum est, aut eam saltem observandam esse Regulam, tàm ante, quàm post confectos dictos Indices, quæ tempore *Caroli* Secundi in unoquoque respectivè Portu obtinuit; ita ut majora post hac ibidem, aut in alio quocunque Transitûs Loco, non exigan-

wholesale, shall be free and clear from any other Duty whatsoever, throughout all *Spain*, provided however, that the Proprietor of the said Wares or Factors brings Certificates, that the Duties were duly paid in the manner aforesaid, otherwise such Wares shall be look'd upon as fraudulently Transported. But as to the Payment of the Rights commonly called *de Alcavalos, Cientos*, and *Millones*, it is Agreed, That it shall be Regulated according to the Fifth and Eighth Article of this Treaty.

But because the *Spanish* Ambassadors are perswaded, that the Duties in every Port of *Spain* cannot be reduced to the same Rule with those which are or may become customary in *Cadiz* or the Port of St. *Mary*'s, without Violating the Laws of *Spain*, and several Privileges there, which have the Force of Laws, nor without the too great Prejudice of their King and Master, It is therefore thought proper to leave this Matter to the Determination of the Commissaries who shall be appointed to settle the New Book of Rates.

But his Catholick Majesty promises, That he will immediately take off all Augmentations of Duties in the said Ports, which have been introduced there since the Time of *Charles* the Second, on occasion of the War, or under the Title of *Habilitations*, or any other whatsoever, and that either the same Rule shall be observed in those Ports, which is Agreed to in the Ports of St. *Mary*'s and *Cadiz*, or else at least that the same Rule shall be observed, as well before as after the said New Book of Rates shall be made, which had obtained in each respective Port in the Time of King *Charles* the Second; So that

tur

tur Vectigalia, quàm quæ tempore *Caroli* Secundi dictis in Locis soluta erant. In iisdem insuper ea observanda erunt, quæ ratione Jurium *de Alcavalos, Cientos, & Millones*, in hoc Articulo superiùs indigitantur.

Quoad Portus *Guipuscoæ* & *Biscayæ*, aliosve Legibus *Castiliæ* non Subjacentes, in quibus Tempore *Caroli* II. Vectigalia pendebantur iis minora quæ *Gadibus*, aut in Portu *Sanctæ Mariæ* soluta erant, spondet Regia sua Majestas Catholica eadem Vectigalia dictis in Locis per Novum Indicem augenda non esse; intereà autem prout Tempore *Caroli* II. permansura. Merces tamen in Portus *Biscayæ* & *Guipuscoæ* introductæ, quæ in Regna *Castiliæ*, aut *Arragoniæ* posteà per Terram deferentur, in Portu primi Introitûs earum in dicta Regna Vectigalia tempore *Caroli* II. ibidem soluta, aut quæ per Novum Indicem statuentur, solvere tenebuntur.

IV.

Consentit Rex Catholicus promittitque, licitum in posterum fore Subditis *Britannicis*, qui in Provinciis *Biscayæ* & *Guipuscoæ* degent, Domos vel Repositoria Mercibus suis conservandis idonea, conducere, id quod ut fieri possit, pari modo, iisdémque cum Privilegiis, quibus in *Andalusiâ*, aut in aliis quibuscúnque *Hispaniæ* Portubus aut Locis, dicti Subditi *Britannici* istâ Libertate vigore præfati Tractatûs de Anno, 1667. aut etiam vigore Diplomatis alicujus, aut Ordinationis per Majestates suas Catho-

hereafter no greater Duties shall be Exacted there, or in any other Place of Passage, than what were paid in the said Places in the Time of *Charles* the Second. In the same Places shall be likewise observed what has been above appointed in this Article concerning the Rights *de Alcavalos*, *Cientos*, and *Millones*.

As to the Ports of *Guipuscoa* and *Biscaya*, and others, not subject to the Laws of *Castille*, in which less Duties were paid in the Time of *Charles* the Second, than at *Cadiz*, or in the Port of St. *Mary*'s, his Catholick Majesty promises, That those Duties shall not be augmented in the said Places by the New Book of Rates, but shall, in the mean time, remain as they were in the Time of *Charles* the Second. All Wares, however brought into the Ports of *Biscaya* and *Guipuscoa*, which shall afterwards be carried by Land into the Kingdoms of *Castille* or *Arragon*, shall be bound to pay such Duties in the Port where they first enter the said Kingdoms, as were paid there in the Time of *Charles* the Second, or else such as shall be Established by the New Book of Rates.

IV.

The Catholick King consents and promises, That for the future, it shall always be lawful for the Subjects of *Great Britain*, Living in the Provinces of *Biscaya* and *Guipuscoa*, to hire Houses or Ware-houses fit for the Preservation of their Merchandise, and his Majesty will, by renewing his Orders to that purpose, take effectual Care that it shall be in their Power to do this in the like manner, and with the same Privileges, with which the said *British* Subjects, by virtue of the aforesaid Trea-

licas

licas concessæ, gavisi sunt, aut gaudere debuerint, Regia sua Majestas per Mandata repetita effectum dabit. Eâdem Libertate gaudebunt Subditi *Hispanici*, in quibuslibet *Magnæ Britanniæ* Portubus & Locis, cum Privilegiis omnibus ipsis per prædictum Tractatum competentibus.

V.

Ut autem obviam eatur abusibus in colligendis Juribus *de Alcavalos & Cientos* nuncupatis, consentit Catholica sua Majestas, quod Subditis *Britannicis*, qui Merces suas in magnâ Scil. Mercaturâ, vulgo *en gros*, vendendas in quemcúnq; *Hispaniæ* Portum, sive Terrestrem, sive Maritimum, intulerit, in optione esse debet, utrum dicta Jura *de Alcavalos & Cientos* in ipso primi Appulsûs Loco aut Portu, vel potiùs secundum Leges *Castillæ*, ubi, & quando venduntur, solvere velint. Quæ quidem Jura eadem erunt, quæ Tempore *Caroli* II. soluta fuerunt. Conventum etiam est, quod Merces pro quibus dicta Jura *de Alcavalos & Cientos* soluta semèl fuerint, Subditi *Britannici* in magnâ Scil. Mercaturâ, vulgò *en gros*, vendendas mittere vel transportare poterunt ad Portum, aut Locum quemcúnque Majestatis suæ Catholicæ Dominio in *Europâ* subjacentem, absque ullâ molestiâ, ullâve dictorum Jurium exactione repetitâ, aut etiam aliorum pro primâ venditione; ita tamen ut illi qui dictas Merces vehent, Recepta vel Testimonia à Teloniorum Redemptoribus aut Commissariis, quibus pateat dicta Jura pro iis Mercibus soluta fuisse, aliáque itidem Testimonia, dictas Merces nondum esse divenditas, probantia, adducant. Quod si verò Mercator quisquam Merces suas minutatim

ty of 1667. or of any Diploma or Ordinance, granted by their Catholick Majesties, did enjoy, or ought to have enjoyed that Liberty in *Andalusia*, or in any other Ports and Places of *Spain* whatsoever. The Subjects of *Spain* shall enjoy the same Liberty in any Ports and Places of *Great Britain*, with all the Privileges belonging to them by the aforesaid Treaty.

V.

To prevent Abuses in Collecting the Rights called *de Alcavalos & Cientos*, his Catholick Majesty Consents, that the Subjects of *Great Britain*, who shall bring their Wares into any Port of *Spain*, Wet or Dry, in order to Sell them by Wholesale, shall have their choice, whether they will Pay the said Rights *de Alcavalos & Cientos*, in the first Place or Port that they arrive at, or else according to the Laws of *Castille*, at the Place where, and at the Time when they are Sold; which said Rights shall be the same as were Paid in the Time of King *Charles* the Second. And it is further Agreed, That the Subjects of *Great Britain*, may send or carry the Wares, for which the said Rights *de Alcavalos* have once been Paid, into any Port or Place whatsoever, belonging to his Catholick Majesties Dominions in *Europe*, (in order to Sell them there by Wholesale) without any Molestation or Repetition of the said Duties or Exaction of any others for the first Sale; Provided however, that they who carry the said Wares, shall bring Receipts or Certificates from the Farmers, or Commissioners of the Custom-houses, from whence it may appear, that the said Rights have been Paid for those Wares, and likewise other Certificates, proving, that the said

vender,

vendet, locales omnes & municipales Impositiones, in iisdem vendendis debitas, & consuetas, unà cum Juribus *de Alcavalos & Cientos*, & si quæ alia cujuscúnque generis sint, solvere tenebitur, sub pænis lege præfinitis.

Consentit insupèr Regia Majestas Catholica, quod si post exhibita Testimonia superiùs memorata, Officialis quispiam, aut Vectigalium Coactor eadem Jura de novo exigerit, Merciumve Transitum eâ de causâ moraretur, aut quocúnque modo molestiâ aliquâ afficeret, Officialis culpæ prædictæ reus pœnam incurret bis Mille Ducatorum, in usum Cameræ Regiæ suæ Majestatis, aut Hospitii Generalis *Madritensis*; solvendorum Teloniorum autem, aut Contrabandæ Notarii, pro dictis Testimoniis Certificatoriis expediendis ultra quindecim *Ryals Villon* non accipient, nisi alitèr in Novo Indice conficiendo conventum fuerit.

VI.

Et sicuti Subditis Regiarum suarum Majestatum integer, incolumis, & ab omni molestiâ immunis Navigationis & Commerciorum Usus & Libertas utrinquæ constare debet, quamdiù Pax & Amicitia inter Regias suas Majestates, eorúmque Coronas inita, subsistet, ita quoque cautum voluerunt Regiæ suæ Majestates, ne propter orituras forsàn Discordiarum Scintillas, eâdem dicti Subditi Incolumitate priventur, quin pleno è contra Pacis Beneficio fruantur, quoúsque Bellum inter ambas Coronas declaratum non fuerit.

Quinetiam conventum insupèr est, quod si quando contigerit ut Bellum (quod Deus avertat) inter Regias suas

Wares have not yet been Sold, but if any Merchant sells his Wares by Retail, he shall be Bound under such Penalties as are inflicted by Law, to Pay all the Local and Municipal Duties which are due and customary at the Sale of them, together with the Rights *de Alcavalos & Cientos*, and all others whatsoever.

His Catholick Majesty farther consents, That if after the Certificates above mentioned have been shewn, any Officer, or Gatherer of Duties, shall exact the said Rights again, or shall give any Trouble, or stop the Passage of the Wares on that Account, the Officer guilty of the said Fault, shall incur the Penalty of 2000 Ducats, payable to the Use of his Majesties Chamber, or of the general Hospital at *Madrid*; the Notaries of the Custom-houses, or the Contraband, shall not receive above 15 *Ryals Villon*, for dispatching the said Certificates, unless it shall be otherwise agreed in settling the New Book of Rates.

VI.

And as the Subjects of their Majesties are to enjoy on both sides an entire, secure, and unmolested Use and Liberty of Navigation and Commerce, as long as the Peace and Friendship, entred into by their Majesties, and their Crowns, shall continue, so likewise their Majesties have provided, that the said Subjects shall not be deprived of that Security for any little Difference which may possibly arise, but that they shall on the contrary enjoy all the Benefits of Peace, until War be Declared between the Two Crowns.

And it is further Agreed, That if it should happen, (which God prevent) that War should arise, and be Declared be-

Majesta-

Majestates, earúmque Regna, suboriatur & declaretur, tum ad præscriptum Art. 36. sæpefati Tractatûs de Anno 1667. Terminus sex Mensium post talem rupturam declaratam utriusque Partis Subditis, in alterius Ditione commorantibus, dabitur, quo recipere sese unà cum Familiis, Bonis, Mercimoniis, Navibus & Facultatibus suis, easque, solutis Vectigalibus debitis & consuetis, asportare licebit Terrâ Marive, quoquoversum ipsis placuerit, sicuti & iis permissa tunc erit Venditio & Alienatio Bonorum suorum, Mobilium, Immobiliúmque rerum, ut & Pretii divenditorum Evectio, liberè & absque ullâ Interturbatione, nec eorum Bona, Res, Merces, & Facultates, nedum ipsimet, arresto, vel Manûs Injectione, interea Temporis detinendi vel infestandi sunt. Bonâ quinetiam interea promptâque Justitiâ fruentur, & utentur alterutrínque Subditi, quocurrente dicto Semestri Spatio Res & Facultates suas, tàm Publico quàm Privatis concreditas, recuperare possint.

tween their Majesties and their Kingdoms, than according to the Contents of the Thirty sixth Article of the aforementioned Treaty of 1667. after the Declaration of such a Rupture, the Space of Six Months shall be allowed to the Subjects of each Party, residing in the Dominions of the other, in which they shall be Permitted to withdraw with their Families, Goods, Merchandizes, Effects, and Ships, and to Transport them, after having Paid the due and accustomed Imposts, either by Sea, or Land, to whatsoever place they please, as they shall also be suffered to Sell and Alienate their Moveable and Immoveable Goods, and freely and without any Disturbance, to carry away the Price of them, nor shall their Goods, Wealth, Merchandises or Effects, much less their Persons be in the mean time detained or molested by any Seizure or Arrest. Moreover the Subjects of each side shall in the mean time, enjoy and obtained quick and impartial Justice, by means of which they may before the Expiration of the Six Months, recover the Goods and Effects which they have Lent, either to the Publick, or to Private Persons.

VII.

Conventum insupèr est, quod damna omnia quæ Subditi utriusque Coronæ, ineunte Bello nuperrimo, contra Tenorem Art. 36. suprememorati Tractatûs de Anno 1667. se perpessos esse debitè monstraverint, sive ea in Bonis Mobilibus, vel Immobilibus constiterint, ipsis, aut legitimis eorum Procuratoribus, vel Hæredibus, eorumve causam habentibus, absque morâ reciprocè resarciantur, restitutis quæ superesse contigerit, & quæ Fisco addicta fuerint, sive Fundi, Ædificia, Hæreditates, aliàve Bona quæcun-

VII.

And it is further Agreed, That all the Losses which the Subjects of either Crown shall duly prove, that they have sustained in the Beginning of the late War (contrary to the Tenor of the Thirty sixth Article of the abovementioned Treaty) whether they consisted of Moveable or Immoveable Goods, shall be Reciprocally made good, without any Delay to them, their lawful Procurators, Heirs, or those to whom their Cause is intrusted, and Restitution shall be made of those Goods, whether

que sint, & soluto distractorum, sive ea ex Bonorum Mobilium, aut Immobilium genere fuerint, justo & legitimo pretio; eandem verò solutionem verificatis, ut antedictum est, istis pretentionibus per Ærariorum suorum hinc inde præfectos bonâ Fide faciendam & præstandam esse, inter Regias suas Majestates conventum & concordatum est.

Lands, Buildings, or Inheritance, or of what sort soever they are, which remain and were Confiscated, and the just and lawful Price of those Goods which cannot be recovered, whether Moveable or Immoveable shall be Paid, and their Majesties have Articled and Agreed that the said Payments (the Pretensions to them, being, as is aforesaid, fully proved, shall faithfully be Performed, and made by their Treasurers on each Part.

VIII.

Conventum est, & Regia sua Majestas Catholica per Mandata sua effectum dabit, ut Vectigalia *Millones* nuncupata, super Piscibus, aliâque Annonâ, in Loco primi earum Mercium appulsûs non exigantur, sed eadem Vectigalia more pristino per Leges Stabilito, in Loco tantummodo Consumptionis, Mercibúsque divenditis, & non antea solvenda erunt.

VIII.

It is Agreed, and his Catholick Majesty will give effectual Orders to that purpose, that the Duties upon Fish, and other Provision, called *Millon*, shall not be demanded in the Place where the said Wares first arrive, but the said Duties shall be Paid according to the ancient Custom established by Law, only in the Place of Consumption, and when the Wares are Sold, and not before.

IX.

Spondet Regia sua Majestas Catholica, quod Merces quæ speciatim in Indicibus, qui secundum Articulum hujus Tractatûs Tertium conficiendi sunt, Nominatæ non fuerint, iisdem nec majoribus ad Valorem Vectigalibus onerabuntur, quam quæ Mercibus in dictis Indicibus nominatis imponentur. Lite verò ortâ inter Teloniorum Redemptores vel Commissiarios & Mercatorem super aliquarum Mercium Valore, Mercatoris in optione erit, Merces istas Redemptori vel Commissario relinquere, pro pretio per dictum Redemptorem ipsis imposito, quod paratâ pecuniâ, deductis solummodo Vectigalibus, statim erit solvendum. Poterit etiam Mercator, receptis reliquis Mercibus, partem earundem secundum Valorem ipsis per Redemptorem, uti dictum est, impositum, Loco Vectigalis,

IX.

His Catholick Majesty promises, That those Merchandises, which are not particularly mentioned in the Catalogue of Rates, which is to be made according to the Third Article of this Treaty, shall be Charged with the same Duties in Proportion to their Value, and no greater than those which are laid upon Merchandises named in the said Catalogue of Rates. And if any Difference arises between the Farmers of the Custom-houses, or Commissaries, and any Merchant concerning the Value of any Wares, it shall be in the Choice of the Merchant to Sell his Wares to the Farmer or Commissary, at the Price the Farmer of the Custom-house Valued them at (which Price shall be immediately paid in Ready Money, the Duties only Deducted) or else to give Redemp-

Redemptori vel Commiſſario relinquere.

Part of his Merchandiſes at the Rate ſet upon them, as hath been mentioned, to the Farmer or Commiſſary, inſtead of the Duty, and retain the reſt.

X.

Conventum eſt, quod caſu quo Subditi *Britannici* Merces ex quibuſvis *Africæ* Oris in *Hiſpaniam* advehant, eædemque ad Vectigalia ſolvenda admiſſæ fuerint, iiſdem debitè ſolutis, dictæ Merces nullis aliis Oneribus, ſive per Capitaneos Tractuum Maritimorum Generales, vel Portuum Præfectos, alioſve quocunque Nomine, aut Titulo exigendis, in poſterum gravandæ erunt, præter ea quæ pro Mercibus in univerſum omnibus ejuſdem generis in earum Venditione pendenda ſunt.

X.

It is Agreed, That in caſe the *British* Subjects ſhall bring any Wares from any Part of the Coaſts of *Africa*, into *Spain*, and the ſame ſhall be admitted to Pay the Duties, thoſe being duly Paid, the ſaid Wares ſhall not afterwards be Charged, either by the Captains-General of the Coaſts, or Commanders of the Harbours, or any Body elſe, with any other Duties, under what Name or Title ſoever, excepting ſuch as are payable in general, for all Wares of the ſame ſort, at the time of their Sale.

XI.

Navium Mercatoriarum Præfecti Portum quemcunque *Hiſpaniæ*, cum Navibus ſuis intrantes, intra viginti quatuor horas ab adventu ſuo, exhibere tenebuntur binas Declarationes vel Inventaria Mercium Advectarum, vel illius earundem Partis quam ibidem exonerare debent, unam Scil. Declarationem Teloniorum Redemptori, vel Commiſſario, alteram Contrabandæ Judici, neque Foros Navis aperient, antequam vel Scrutatores acceperint, vel per Vectigalium Redemptores ea ipſis Licentia conceſſa fuerit. Nullæ autem Merces alio intuitu exonerandæ erunt, quam ut rectà in Telonium, ſecundum Permiſſionem Scriptis eum in finem impertitam, inferantur. Ex Judicibus autem Contrabandæ, aliiſve Teloniorum Officialibus, nemini licitum erit, quocúnque ſub prætextu, aperire Sarcinas aliquas, Ciſtas, Dolia, aliave Involucra Mercium quarumcunque ad Subditos *Britannicos* ſpectanti-

XI.

The Maſters of Merchant Ships, who ſhall enter into any Port of *Spain* with their Ships, ſhall be obliged, within Twenty four Hours after their Arrival, to deliver Two Declarations or Inventories of their Wares, or of that part of them which they are to unlade there, *viz.* one Declaration to the Farmer of the Cuſtom-houſes or Commiſſary, and another to the Judge of the Contraband, nor ſhall they open the Hatches of their Ships, till they either have Searchers with them, or have Leave given them by the Farmer of the Cuſtom-houſes to do it. No Wares ſhall be unladen with any other View than that of being immediately carried to the Cuſtom-houſes, according to a Permiſſion which ſhall be given in Writing for that end. It ſhall not be lawful however for any of the Judges of Contraband, or other Officers of the Cuſtom-houſes, under any pretence whatſoever, to open any Bags,

um, dum ad Telonium feruntur, & antequàm eò pervenerint, atque etiam adsit earundem Proprietarius, aut Negotiorum ejus Gestor, qui Vectigalia solvat, & Merces ad se recipiat. Adesse autem poterunt dicti Contrabandæ Judices, eorúmve Deputati, dum è Navi solvuntur Merces, ut & dum in Telonio declarantur, expediuntúrve, & datâ Fraudis suspicione, alias nempè aliarum Loco Merces expediendi animum esse, omnes Sarcinas, Cistas, aut Dolia aperire licebit, modo id in Telonio, nec alibi fiat, præsente Mercatore, ejusve Negotiorum Gestore, & non alitèr; Expeditis autem & è Telonio evectis Mercibus, Cistisque, Doliis, aliisque Involucris easdem continentibus, Officialis competentis Sigillo, Signove Munitis, easdem denuò aperire, aut Abductionem earundem ad Domum Mercatoris impedire, nullus Contrabandæ Judex, aliusve Officialis præsumet. Neque illis postea licitum erit, quocúnque sub Prætextu, earundem Transvectionem ab unâ Domo aut Repositorio in aliud, intra ejusdem Urbis, aut Loci Muros, aut Ambitum impedire, modo illud intra horas octavam Matutinam & quintam Vespertinam fiat, præviâ etiam Notificatione Redemptoribus Jurium *de Alcavalos & Cientos* factâ, quo eædem Intuitu transferantur, Scil. si ad venundandum, ut Jura ista, modo anteà soluta non fuerint, ibidem aut in Loco venditionis persolvantur; sin minùs, ut Mercatori Institorive Libellus Certificatorius ab ipsis more consueto tradatur. De cætero Jus & Libertas Merces sub Conditionibus in Art. 5. hujus Tractatûs indigitatis, à Portu, aut Loco quocunque intra Dominia Regis *Hispaniæ*, ad alium quemvis Portum aut Locum, sive Terrâ sive Mari transferendi, plenissimè & integerrimè constabit.

Chests, Hogsheads, or other Covers of any Wares whatsoever, belonging to the Subjects of *Great Britain*, while they are carrying to the Custom-house, and before they are brought thither, and the Proprietor of them, or his Factor, is also come, who may discharge the Duties, and take the Goods into his own Custody. But the said Judges of Contraband, or their Deputies, may be present when the Wares are taken out of the Ships, and also when they are declared and laid open in the Custom-house, and if there be suspicion of Deceit, as that it is designed to lay open one Merchandise instead of another, it shall be lawful for him to open all the Bags, Chests, and Hogsheads, so this be done in the Custom-house, and no other place, and in the presence of the Merchant, or his Factor, and not otherwise. But when the Goods have been exposed, and carried away from the Custom-house, and the Chests, Hogsheads, or other Covers containing them, have been Marked with the Sign or Seal of the proper Officer, no Judge of the Contraband or other Officer shall presume to open them again, or to hinder them from being carried to the Merchants House. Neither shall it be lawful for them, under any pretence whatsoever, to hinder the said Goods from being carried from one House or Warehouse to another, within the Walls or Compass of the said City or Place; provided that be done between the Hours of Eight in the Morning and Five in the Evening, and previous Notice be given to the Farmers of the Rights *de Alcavalos & Cientos*, of the intent with which those Goods are removed, to wit, whether it be that they should be sold, that in that case those Duties, if not

XII. Vecti-

paid before, may be paid there, or at the Place of Sale; or if they are not to be Sold, then a Certificate may be given, after the usual manner, to the Merchant. Furthermore it shall be lawful to carry Wares from any Port or Place within the King of *Spain*'s Dominions to any other Port or Place, either by Sea or Land, under such Conditions as are expressed in the Fifth Article of this Treaty.

XII.

Vectigalia pro Mercibus per Subditos *Britannicos* in Insulas *Canarias* adferendis, vel indè abducendis, majora non exigentur, quàm quæ ibidem regnante nupero Rege *Carolo* Secundo soluta fuerunt, vel quæ secundum novos Indices solvenda erunt.

XII.

The Duties upon Merchandize brought into the *Canary Islands*, Exported from thence by *British* Subjects, shall not be greater than those that were paid in the Reign of the late King *Charles* the Second, or such as shall become payable by the New Book of Rates.

XIII.

Utriusque Regiæ Majestatis Subditi, qui Subditis alterius in ære alieno sunt, sive ante Belli nuperi exordium, vel intra Sex Menses ab eodem inito, vel eo durante, sub Literarum Salvi Conductûs Tutela, vel denique post initum Armistitium inter ambas Coronas, ista Debita contraxerint, ad eadem bonâ fide solvenda tenebuntur & cogentur, perindè ac si Bellum inter ambas Coronas obortum omninò non fuisset; neque ipsis Exceptiones ullas ex occasione Belli contra justa Creditorum postulata injicere licebit.

XIII.

The Subjects of each of their Majesties, who are in Debt to the Subjects of the other, whether the Debts were Contracted before the beginning of the said War, or within the space of Six Months after it was begun, or (during the War, under the Protection of Letters of Safe Conduct) or lastly, after a Truce was made between the Two Crowns, shall be bound and obliged faithfully to pay the same, in the same manner as if War had never arose between the Two Crowns, nor shall they be permitted to raise any Exceptions against the just Demands of their Creditors on pretence of the War.

XIV.

Subditis *Britannicis* Facultatem concedit sua Majestas Catholica Domicilia sua figendi, & habitandi in Oppido St. *Ander* nuncupato, iis sub Conditionibus, quæ in Articulis Nono & Tricesimo Tractatûs de Anno 1667. indigitatæ sunt.

XIV.

His Catholick Majesty gives Leave to the Subjects of *Great Britain* to settle themselves, and dwell in the Town called St. *Ander*, upon the Terms that are expressed in the Thirty ninth Article of the Treaty of 1667.

XV. Quan-

XV.

Quantum ad Judicem Conſervatorem, alióſque per ipſum ſubſtituendos, conceſsâ aliæ cuicunque Nationi exteræ iſtâ Libertate, Subditi *Britannici* eâdem paritèr gaudere debent. Intereà autem & donèc de hoc Negotio certi aliquid ſtatutum fuerit, Regia Majeſtas Catholica in Mandatis per expreſſum dabit omnibus & ſingulis Regni ſui Judicibus, aliiſque quibuſcunque, quibus Juſtitiæ Adminiſtratio aut Executio ullatenùs incumbit, iiſdem ſub Pœnis graviſſimis injunget, ut in cauſis omnibus Subditorum *Britannicorum*, abſque morâ aut partium ſtudio, favore, vel effectu, Jus dicant, & exequi faciant.

Conſentit Rex Catholicus, quod Appellationes à Sententiis latis in Cauſis quæ Subditos *Britannicos* tangunt, ad Concilii Bellici *Madriti* Tribunal, nec alibi deferantur.

XV.

As to the Judge Conſervator, and others to be Subſtituted by him, if this Privilege be Granted to any other Foreign Nation whatſoever, the Subjects of *Great Britain* ſhall likewiſe enjoy it. In the mean time however, and until ſome thing certain ſhall be determined in this Matter, his Catholick Majeſty will give expreſs Orders to all and every one of the Judges of his Kingdom, and to all others whomſoever, who are any ways concerned in the Adminiſtration or Execution of Juſtice, and ſhall enjoyn the ſame under the ſtricteſt Penalties, to do Juſtice, and cauſe it to be Executed, without any Delay, Partiality, Favour, or Affection, in all Cauſes relating to the Subjects of *Great Britain*.

The Catholick King conſents, That Appeals from Sentences in Cauſes concerning the *Britiſh* Subjects, may be brought before the Tribunal of the Council of War at *Madrid*, and no where elſe.

XVI.

Si quis Regiæ Majeſtatis *Britannicæ*, ſive Regiæ Majeſtatis Catholicæ Miniſter, aliuſve Subditus, hunc Tractatum, aut aliquem ejuſdem Articulum violaverit, ille de damno omni indè exorto tenebitur; ac ſi quo in Officio publico conſtitutus fuerit, præter Satisfactionem parti læſæ, uti præfertur, præſtandam, eodem quoque Officio privabitur.

XVI.

If any Miniſter or other Subject of her Majeſty of *Great Britain*, or of his Catholick Majeſty, ſhall violate this Treaty, or any Article of it, he ſhall be reponſible for all the Damage occaſioned by it; and if he be placed in any Publick Office, he ſhall beſides making Satisfaction to the Injured Party (as is aforeſaid) be deprived of his Office alſo.

XVII.

Subditis *Britannicis*, per Mare adductis ex alio quocunque *Hiſpaniæ* Portu, Vino, Vino aduſto, Oleo, Smegmate, Uvis exſiccatis, aliiſve Mercimoniis, & ſolutorum in exitûs Loco Vectigalium Teſtimonia producentibus, Navibus ſuis

XVII.

The Subjects of *Great Britain* having brought by Sea from any other Port in *Spain*, Wine, Brandy, Oyl, Soap, dry'd Grapes, or other Merchandiſes, and producing Certificates, that the Duties were paid at the Place whence

in

in Portu *Gadium* ſubſiſtentibus eadem imponere, aut etiam ibidem ex unâ Navi in aliam, conſentientibus Rerum Maritimarum Præfectis, ipſiſque aut eorum Deputatis, ſi velint, Præſentibus, ad evitandas quaſcunque Fraudes, tempore idoneo per dictos præfectos intra Viginti quatuor Horas deſignando, transferre, indéque avehere licitum erit; eâ cum Libertate, ut neque Impoſitionem *Hondeaxe* vocatam, aliámve Introitûs, Exitûſve quamcunque, ſolvere teneantur.

Ratihabebitur præſens Tractatus à Sereniſſimâ *Magnæ Britanniæ* Reginâ & Sereniſſimo Rege Catholico, ejuſdemque Ratihabitionis Tabulæ intra duos Menſes, aut citiùs, ſi fieri poſſit, *Trajecti ad Rhenum* invicem commutabuntur.

In quorum Fidem, nos infraſcripti S. *Magnæ Britanniæ* Reginæ, & S. Regis Catholici Legati Extraordinarii & Plenipotentiarii præſentes Tabulas Manibus noſtris ſubſcriptas Sigillis noſtris munivimus, *Trajecti ad Rhenum* Die Vigeſimo octavo/Nono Menſis *Novembris*/*Decembris*, Anni à Chriſto nato, Milleſimi ſeptingenteſimi decimi tertii.

(*L.S.*) *Joh. Briſtol.* (*L.S.*) *Duc de Oſſuna.*

(*L. S.*) *El Marque de Monteleon.*

they ſet Sail, ſhall be ſuffered to put the ſame into their Ships lying at *Cadiz*, or there to remove them from one Ship to another (with the Conſent of the Inſpectors of the Maritime Affairs, and in the Preſence of them, or their Deputies, if they have a mind to be there, and at a ſeaſonable time to be appointed by the ſaid Inſpectors within Four and twenty Hours, in order to prevent all Frauds whatſoever) and to carry away from thence; with this Liberty that they ſhall not pay the Duty called *Hondeaxe*, or any other of Entrance, or going out.

The preſent Treaty ſhall be Ratified by the moſt Serene Queen of *Great Britain*, and the moſt Serene Catholick King, and the Ratifications ſhall be Exchanged at *Utretcht*, within Two Months, or ſooner, if poſſible.

In Witneſs whereof, We the under Written Ambaſſadors Extraordinary, and Plenipotentiaries of the Queen of *Great Britain*, and the Catholick King, have Signed and Sealed this preſent Inſtrument at *Utrecht*, the Twenty eighth/Ninth day of *November*/*December*, in the Year of our Lord, 1713.

(*L.S*) *Joh. Briſtol.* (*L.S.*) *Duc de Oſſuna.*

(*L.S.*) *El Marque de Monteleon.*

NOS

NOS viso perpensoque Tractatu suprascripto, eundem Approbavimus, & Ratum, Firmumque habuimus sicut & per Præsentes, tam pro Nobismet Ipsis, quam pro Hæredibus & Successoribus Nostris, Approbamus, & Ratum, Firmumque habemus, exceptis solummodò Tribus ejusdem Articulis, videlicet, *Tertio, Quinto, & Octavo,* Ultrajecti *conclusis, quos formâ & modo sequentibus intelligi & observari volumus:*

WE having seen and considered the above written Treaty, have Approved, Ratified, and Confirmed the same, as We do by these Presents, for Our Selves, Our Heirs and Successors, Approve, Ratifie, and Confirm it, Excepting only Three Articles thereof, viz *The Third, Fifth, and Eighth, Concluded at* Utrecht, *which are to be observed and understood in the Manner and Form following:*

III.

QUandoquidèm per ultimum Pacis Tractatum, pro Basi, & Fundamento positum, atque stabilitum fuerit, quod Magnæ *Britanniæ* Subditi gauderent, quoad Commercium, iisdem Libertatibus & Privilegiis quibus regnante *Carolo* Secundo, in totâ Regnorum *Hispaniæ* amplitudine gavisi sunt; Hæc ipsa Regula itidem pro Basi & Fundamento præsentis hujus Tractatûs Commercii est constituenda, quod etiam reciprocè intelligendum in gratiam Subditorum *Hispaniæ*, qui intra Limites Terrarum *Magnæ Britanniæ* Commercia exercituri sunt. Quúmque nihil magis conducere possit ad Commercium, mutuâ cum Utilitate, Stabiliendum, quam Regula constans, clara, simul & facillima, pro Solvendis Vectigalibus, & quæ maximè sit libellata ad normam moderatiorem, & cujus proportio propiùs accedat ad Mercium valorem, secùs etenim fraudes inducuntur, magno cum Detrimento Vectigalium Principum, quod ipsa persæpè Experientia comprobatum est in *Hispaniâ*, ubi Tributa in antiquis Indicibus (seu Tarifis, ut vulgò dicitur) designata, omnem sanè modum excedunt. Idcircò Majestas sua Catholica, cupiens

III.

WHereas by the late Treaty of Peace it is Agreed and Established as a Basis and Foundation, That the Subjects of *Great Britain*, in what regards Commerce, shall enjoy the same Liberties and Privileges which they enjoyed in the Reign of King *Charles* the Second, in all Parts of the King of *Spain*'s Dominions, which Rule is what is also to serve for a Basis and Foundation of the present Treaty of Commerce, and is to be understood reciprocally in Favour of the King of *Spain*'s Subjects Trading in the Dominions of *Great Britain*. And as nothing can contribute more to establish the Commerce to a mutual Benefit than a fixed, clear, and easie Rule in paying the Duties, especially on a moderate Footing, and proportionable to the Value of the Merchandise, in order to prevent the Frauds that otherwise would be practised, to the Prejudice of the Revenues of either Crown, which has been often experienced in *Spain*, where the Established Duties by the Ancient Books of Rates are excessive; In consideration whereof his Catholick Majesty, being desirous to avoid the like Consequences, and to fa-

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non ſolum devitare quæ inde naſcantur incommoda, ſed & faciliorem, quantùm in ipſâ eſt, reddere viam ad Libertatem Commerciorum eadémque fovere, & augere ex parte ſuâ, tantùm quantum viciſſim id ipſum ex ſuâ deſiderat Majeſtas ſua *Britannica*: Voluit ſupprimere, tam varia ad Merces invehendas, & evehendas Vectigalia in præfatis Indicibus antiquis contenta, quam illa etiam quæ deinceps, ſub quibuſcunque Nominibus, & prætextis impoſita fuerint: Satíſque ſibi eſſe duxit, ſi unum ſolum, & unicum Vectigal æqualitèr colligatur in Ingreſſu & Egreſſu Regni, nimirùm Decem pro Centum, ut vulgò dicitur, Valoris Mercium, cujuſcúnque ſint generis, ſeu pretium earum ſtatuatur expendere, menſurâ, numero ſolidorum Mercimoniorum, ſeu Computatione, vel Æſtimatione. Exigetúrque hoc Tributum æqualitèr in Regis Commodum, in omnibus Portubus, & Exhedris Vectigalium *Hiſpaniæ*, comprehenſis ſimul hic Portubus, & Exhedris *Aragoniæ*, *Valentiæ*, & *Catalauniæ*, ſolummodò ex hâc Generali Regulâ Provinciis quæ *Guipuzcoa* & *Biſcaya* nuncupantur exceptis: Quarum Provinciarum Vectigalia in Ingreſſu, & Egreſſu fixa remanebunt, ſicuti erant Regnante *Carolo* Secundo. Quùm vero hoc Tributum Decem pro Centum, in ipſo Ingreſſu ſolutum fuerit, Locatores, vel Adminiſtratores Telonii, per quod dictæ Merces fuerint invectæ, tenebuntur curare, ut ſignentur, & plumbentur Teſſeris, & Plumbis propriis ejuſdem Telonii; ut que tradatur Acceptilatio ſcripta, vi cujus Proprietario, Proprietariiſve licitum erit, eaſdem Merces ad quaſvis Regiones *Hiſpaniæ* transferre, nec deinceps exigetur ab eis aliud prorſùs Vectigal, Tributum, vel Onus, in commodum ſuæ Catholicæ

vour, augment, and facilitate, in all that depends upon him, the Commerce, in as ample a manner, as her *Britannick* Majeſty deſires, hath conſented, on his part, to ſuppreſs and make void the different Duties payable upon Importation and Exportation, contained in the Ancient Books of Rates, as alſo thoſe that have been impoſed ſince, under any name or pretence whatſoever, and content himſelf with one only Duty to be paid on Importation of all Goods and Merchandize, after the Rate of 10 *per Cent.* of their Value; And the like Duty upon all Goods and Merchandize which ſhall be Exported out of his Dominions, whether the Valuation be made by Weight, Meaſure, Peice, or *ad valorem*; And the ſame Duty ſhall be Collected in all the Ports of Entry in *Spain*, comprehending thoſe of *Arragon*, *Valencia*, and *Catalonia*, Excepting out of this General Rule *Biſcaya* and *Guipuſcoa*, whoſe Duties of Importation and Exportation are to remain as they were in the Time of *Charles* the Second. And that the ſaid 10 *per Cent.* being once paid, the Farmers or Officers of the Cuſtom-houſes where thoſe Goods ſhall be Entred, ſhall be obliged to Mark the ſame with the proper Seals and Marks of their Office, and alſo give the requiſite Diſpatches; By virtue of which, the Proprietors of the Goods may freely Tranſport them to all the other parts of *Spain* where they pleaſe, without being liable to pay any other Duty, Impoſition, or Charges, to the uſe or benefit of his Catholick Majeſty in any Ports or Parts of *Spain* whatſoever, in reſpect of Tranſporting the ſaid Merchandize, over and above what they have paid, in purſuance of this New Arancel, provided the Re-

Majeſtatis, propter Tranſportationem præfatarum Mercium, quam illud, quod jam penſum fuerit, juxta novum Indicem (vulgó Tarifam) & de quo Acceptilationes & Plumbea Sigilla, aut Tesseræ exhibebuntur, quæ, ſi deſint, fraudulentèr tranſlatas fuiſſe cenſebitur, ſalvis tamen Tributis, quæ *Alcavalas*, *Cientos* & *Millones* nominantur, de quibus infra Articulis Quinto & Octavo tractabitur.

Quùm autem *Angliæ* Legatus ſignificaverit, ad evitandas in poſterum quaſcùnque Diſcuſſiones, omninò neceſſarium eſſe, jàm nunc in perpetuum ad Æſtimationem prædictarum Mercium certam Normam, figere, ità ut Tributum, Decem pro Centum, variari nequeat, propter auctum, vel imminutum commune pretium, quo in Commercio, diverſis temporibus, & in variis Regni Partibus æſtimari poſſent; in hunc finem inter Majeſtates ſuas Catholicam & *Britannicam*, per ſuos Oratores conventum, atque ſtabilitum fuit, quod intra tempus Trium Menſium, poſt hujus Tractatùs Ratihabitionem, immò citiùs, ſi fieri poſſit, convenient *Madriti* vel *Gadibus*, nomine ſuarum Majeſtatum, Commiſſarii ritè ab eiſdem nominati, & authoritate roborati, qui ſine ullâ temporis jacturâ, ad conſtituendum novum Vectigalium Indicem, vel Catalogum incumbent, ut Tributum illud quod poſthac, & in perpetuum exigendum ſit, pro quocúnque genere Mercium, tàm in earum Invectione, quàm Evectione, ità ſtabiliatur, & limitetur, ut omnia Vectigalia, & Impoſitiones, quæ ad Ingreſſum, & Egreſſum Mercium, tam tempore *Caroli* Secundi, quam antè, vel poſt ipſius Regnum, exigebantur, ſub quibuſvis Nominibus, & Prætextibus, & in quibuſvis diverſis Teloniis, quæcunque ea demùm ſint, ſub iſto ſolo, & unico Vecti-

ceipts and Marks are produced; in default of which, they ſhall be eſteemed to be fraudulently Tranſported. But it is to be underſtood, that this is not to extend to the *Alcavalas*, *Cientos*, and *Millones*, in relation to which, Proviſion is made in the Fifth and Eighth Articles of this Treaty.

And for as much as the Ambaſſador of *England* hath repreſented, That to avoid all Differences and Diſputes for the future, it is abſolutely neceſſary to Eſtabliſh a certain Valuation or Rate of the ſeveral ſorts of Merchandize, by which the ſaid Duty of 10 *per Cent.* ſhall always be paid, and not altered, either by means of the Augmentation or Diminution of the Price of the ſaid Mercandize, which may hereafter happen in the Commerce, in any time, or in any part of the Kingdom; It is Agreed by their Catholick and *Britannick* Majeſties by their Ambaſſadors, That in the Term of Three Months, from the Ratification of this Treaty, or ſooner, if poſſible, Commiſſaries Named and Authorized by both their Majeſties in due Form, ſhall meet at *Madrid* or in *Cadiz*, who, without loſs of time, ſhall proceed to the forming a New Book of Rates, in ſuch a manner, as to fix and limit what ſhall be paid for the future on all ſorts of Merchandize, as well upon Importation as Exportation; And ſo as that all the different Duties which were payable, either before or in the Time of *Charles* the Second, or ſince, under whatſoever name or pretence, or Collected in different Cuſtom-houſes or Offices, ſhall be comprehended in this only Duty, payable in one Sum, whether upon Importation or Exporta-

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gali comprehendantur, quod unâ simul Summâ pendendum erit, seu ad Ingressum, seu ad Egressum Portuum *Hispaniæ*, in quibus comprehenduntur etiam illi, qui ad Regna *Aragoniæ*, *Valentiæ*, & Principatum *Catalauniæ* pertinent, exceptis tantummodò Provinciis *Guipuzcoæ*, & *Biscayæ* jàm supra nominatis. Et quia insupèr Legatus *Magnæ Britanniæ* perquam enixè institit, ut præfatis Commissariis injungatur imprimis Cura servandæ Regulæ quâ hoc Vectigal æqualitèr, & generalitèr stabiliatur pro cunctis Portubus, & Teloniis Ingressus, & Egressus *Hispaniæ*, ad Normam, quam vulgò vocant Decem pro Centum, Valoris, quo dictæ Merces in Cursu Commercii, & inter Negociatores æstimantur in Portubus *Gadensi & Sanctæ Mariæ* nominatis: Legati *Hispaniæ*, huic Rei assentiti sunt, ita tamen ut Mercibus quæ invehantur in *Hispaniam*, per Portus Provinciarum *Biscayæ*, & *Guipuscoæ*, & quæ posteà transferantur ad alias Provincias, a Regnis *Castillæ*, & *Aragoniæ* dependentes, teneantur solvere in primo Portu, vel Telonio, earum Ingressus in præfata Regna, Portoria illa quæ per novum Indicem designabuntur.

tion in all the Ports of *Spain*, and shall extend to the Kingdoms of *Arragon*, *Valencia*, and Principality of *Catalonia*, and their Dependencies, Excepting only the Provinces of *Guipuscoa* and *Biscaya*, of which mention has been already made. And whereas great Instances have been made by the Ambassador of *Great Britain*, that Directions be given to the said Commissaries, that they take Care, and above all, do observe, as a fixed Rule, That this Duty be laid equally and generally in all the Ports and Custom-houses of *Spain*, upon the Importation and Exportation of all Goods and Merchandize, after the Rate of 10 *per Cent.* of the Value which such Goods and Merchandize bear in the course of Trade, between the Merchants of *Cadiz* and Port St. *Mary*'s; To which the Ambassadors of *Spain* have consented; Always provided, That the Goods and Commodities which shall be Imported into the Kingdom of *Spain* by the Ports of *Biscaya* and *Guipuscoa*, and afterwards Transported into the other Provinces depending on the Kingdoms of *Castille* and *Arragon*, shall be obliged to pay at the first Custom-house of Entry into the said Kingdoms, the Duties which shall be Established in this New Book of Rates.

V.

Ut evitentur Abusus, qui committi possunt in perceptione Impositionum, quæ *Alcavalas & Cientos* vulgò dicuntur, Majestas sua Catholica assentitur, quod Subditis *Magnæ Britanniæ* liberum fit differre solutionem harum Impositionum, toto tempore, quo Proprietarii Merces suas velint relinquere depositas apud præfata Telonia, in Apothecis ad illud destinatis, & donec eas velint rursùs extrahere, sive ad easdem ulterius

V.

To prevent the Abuses that may be committed in Collecting the Duties called *Alcavalas & Cientos*, his Catholick Majesty Consents that the Subjects of her *Britannick* Majesty shall not be obliged to pay these Duties, during such time as they think fit to let their Merchandize remain in the Magazines of the Custom-houses appointed for that purpose; But when they shall think fit to take out the said Goods, either to be

in Regnum introducendas, sive ad eas ipso in Loco vendendas, vel ad Domos suas avehendas, quod illis licitum erit, modò dent Obligationis Chirographum, sub validâ & sufficienti Cautione, solvendi Impositiones *Alcavalas & Cientos* dictas, pro primâ Venditione, Duobus Mensibus post Diem Subscriptionis sui Syngraphi, & tunc ipsis tradentur eâ de re Apochæ; simul dictæ Merces notabuntur, & plumbabuntur Tesseris, & Signis plumbeis propriis Mancipum Impositionum *Alcavalas & Cientos* dictarum, illis in Locis, ubi præfata Tributa primæ Venditionis hoc modo soluta fuerint, tunc quoque poterunt dicti Mercatores illas transferre, & vendere summatim, in quibusvis Portubus & Terris sub Dominatione Majestatis suæ Catholicæ in *Europâ* sitis; nec propter præfatas Impositiones, *Alcavalas & Cientos* dictas, ullum eis Impedimentum afferri poterit, nec ad aliam solutionem, ob causam dictæ primæ Venditionis, impellentur: Dummodò tamen illi, qui dictas Merces conducent, exhibeant Apochas, Plumbeas Tesseras, vel Signa Mancipum, aut Commissariorum, quibus incumbet Collectio horum Tributorum, vel Testimonium quo probetur eas nondum fuisse revenditas. Sed si è contra Mercator aliquis Merces suas minutim vendat, tenebitur secundâ vice solvere dictas Impositiones *Alcavalas & Cientos* nominatas, sub Pœnis à Legibus præscriptis. Consequentèr etiam vult Majestas sua Catholica, quod si post Exhibitionem Apocharum prædictarum, Officiarius aliquis, Commissariusve colligendarum Impositionum *Alcavalas & Cientos* dictarum, iterum exigeret aliam solutionem præfatorum Onerum prædictis Mercibus impositorum, & supradicto modo signatis, Plumbeisque Tesse-

transported farther into the Country, sell them in the same place, or carry them to their own Houses, it shall be permitted them so to do, upon giving his Bond, with sufficient Security, to pay the said Duties of *Alcavalas* and *Cientos* for the First Sale in Two Months after the Date of his Bond, upon which he shall have Receipts given him for the said Duties, and the Goods shall be marked with the proper Mark and Seal of the Farmers of the said *Alcavalas* and *Cientos*, where such Bond and Security shall be given for the First Sale, after which the said Merchandize may be Transported and Sold by Wholesale in any Port or Place belonging to the King of *Spain* in *Europe*; and that no Obstruction or Hinderance shall be made upon Account of the said Duties, nor the Proprietor liable to pay a second time in respect of the First Sale, provided those who carry the said Merchandizes produce the Receipts and Marks of the Farmer or proper Officer concerned in the Collection of these Duties, or making sufficient Proof of their not being sold before. But if on the contrary, any Merchant do sell his Goods by Retail, he shall be obliged to pay the said Duties of *Alcavalas* and *Cientos* a second time, under the Pains established by the Laws. And His Catholick Majesty declares, That if any Officer of the *Alcavalas* and *Cientos* shall exact a second time the said Duties on the same Merchandize, when the said Receipts and Marks have been produced, or should obstruct their Passage, or Transportation, or occasion the least Impediment, such Officer shall be Fined 2000 Crowns to the Benefit of His Majesties Revenues. And the Officers of the Custom-houses shall not demand or take for making such Receipts or Certi-

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ris munitis, vel sese opponeret earum Transitui, & Translationi, sive illis afferret vel minimum Impedimentum, condemnetur ad mulctam Duorum mille Scutorum, *Escudos* vulgò dictorum, Regio Ærario adscribendorum. Administris Regiorum Teloniorum licitum non erit, ultra Summam Quindecim *Reales de Vellon*, pro Expeditione Apocharum, vel Syngraphorum percipere, nisi aliud statuatur in novo Indice, de quo in posterum convenietur.

VIII.

Pacta est sua Catholica Majestas, jussuram se, ut Tributum, vulgò *Millones* vocatum, quod colligitur de Piscibus, aliisque Mercimoniis ad Annonam rei penuariæ spectantibus, non exigatur posthac, in Portubus vel primis Teloniis ad Ingressum in *Hispaniam*, quamdiù Proprietarii ea in Apothecis ad hoc destinatis deposita relinquere voluerint, hâc Conditione tamen, quod cum ea extraxerint, tàm ad ulterius in Regnum introducenda, quàm in ipso loco vendenda, vel ad sua Domicilia vehenda, Syngraphum suum tradant, sub validâ & sufficienti Cautione, solvendi Impositiones, de *Millones* dictas, intra Duos Menses à Die Subscriptionis suorum Syngraphorum, túncque iisdem illâ de re tradentur Apochæ, simul etiam dictæ Merces signatæ, vel Plumbeis Tesseris munitæ propriis Mancipum dictarum Impositionum de *Millones* illorum Locorum, in quibus dicta Tributa soluta fuerint, & tunc demùm poterunt transvehi, & vendi in Locis, ubi illarum fiat Consumptio, sine ulteriori Onere Tributi de *Millones* solvendi. Ideóque vult sua Majestas, quod si post Exhibitionem prædictarum Apocharum, aliquis Officiarius, aut Commissarius Mancipum Impositionis de *Millones*, dicta Tributa ris

ficates more than 15 *Reals Vellon*, unless it be otherwise settled in the New Book of Rates.

VIII.

His Catholick Majesty consents, That the Duties commonly called *Millones*, which are payable upon Fish and other Sorts of Domestick Provisions, shall not be demanded in the First Ports or Custom-houses of Entry in *Spain*, during such time as the Proprietors will let them remain in the Warehouses appointed for that purpose. But in case the Owner shall desire to take them out, either to send into the Country, sell them on the Place, or carry them to their own Houses, they are then to give Bond, with good Security, to Pay the said Duty of *Millones* in Two Months after Date of the said Bond, upon which the necessary Dispatches are to be given them. And the said Merchandize shall be marked with the Seals or Marks of the Farmers of the *Millones* where the said Duties were secured, after which the said Goods may be Transported to, and Sold in the Places where they are to be consumed, without paying any new Duties of *Millones*. His Majesty also declares, That if after the Receipts are produced, any Officer belonging to the Farmers of the *Millones* should exact a second time the same Duties on the same Goods, or should oppose their Passage, Transport or Sale, or occasi- de

de *Millones* de iisdem Mercibus rursùm exigat, vel sese earum Transitui, Transvectioni, aut Venditioni apponat, sive ipsis, vel minimùm afferat Impedimentum, condemnetur ad mulctam Bis mille Scutorum, *Escudos* dictorum, Regio Ærario adscribendorum.

on the least Impediment, the said Officer shall be Fined 2000 Crowns, for the Benefit of his Majesties Revenue.

Vigore itaque Præsentium, Nos suprascriptum Tractatum Approbamus, & Ratum habemus, ita tamen ut Tres Articuli, videlicet, *Tertius, Quintus, & Octavus, sicut in hoc Ratihabitionis Instrumento sese habent, & ejusdem Tractatûs pars esse intelligantur, & eandem vim & effectum sortiantur, ac si in ipso Tractatu inserti fuissent: Spondentes, & Verbo Regio Promittentes, Nos omnia & singula de quibus in hoc Tractatu conventum est, sanctè religioséque Præstituras & Observaturas, neque Passuras, quantum in Nobis est, ut à quopiam violentur. In quorum majus Robur & Testimonium, Præsentibus Manu Nostrâ Regiâ Signatis, Magnum* Magnæ Britanniæ *Sigillum affigi jussimus. Dabantur in Arce Nostrâ* Vindesoræ, *Septimo Die Mensis* Februarii, *Anno Domini Millesimo septingentesimo decimo $\frac{Tertio}{Quarto}$, Regnique Nostri Duodecimo.*

Therefore by Virtue of these Presents We do Approve and Ratifie the Treaty above Written, as likewise the Three Articles, viz. *The Third, Fifth, and Eighth, as they are set forth in this Instrument of Ratification, and are to be taken as part of the said Treaty, and to have the same Force and Effect, as if they had been inserted therein: Promising and Engaging Our Royal Word, That We will Faithfully and Religiously Perform and Observe all and singular the Things Agreed upon in this Treaty, and that We will not suffer the same to be Violated by any one, as far as lies in Our Power. For the greater Testimony and Validity whereof, We have caused Our Great Seal to be affixed to these Presents, which We Signed with Our Royal Hand. Given at Our Castle of* Windsor *the Seventh Day of* February, $17\frac{13}{14}$. *in the Twelfth Year of Our Reign.*

ANNA,

ANNA, *Dei Gratiâ*, Magnæ Britanniæ, Franciæ, *&* Hiberniæ *Regina*, *Fidei Defensor*, &c. *Omnibus & singulis ad quos Præsentes Literæ pervenerint Salutem. Cum Reverendus admodum in Christo Pater, perquam Fidelis & Dilectus Consiliarius Noster*, Johannes *Episcopus* Bristoliensis, *Legatus Noster Extraordinarius & Plenipotentiarius, Decanus* Windesoriensis, *& Nobilissimi Ordinis Nostri Periscelidis Registrarius, ex parte Nostrâ, cum Plenipotentiariis Serenissimi Regis Catholici Tractatum Commercii inter Coronas* Magnæ Britanniæ *&* Hispaniæ, *Vicesimo octavo/Nono Die* Novembris/Decembris, *Anno Millesimo septingentesimo decimo tertio*, Ultrajecti ad Rhenum *concluserit & signaverit, & eodem tempore inter dictos Plenipotentiarios, sufficientibus Auctoritatibus ab utrâque parte instructos, Articulus Separatus factus fuerit, prout sequitur:*

Articulus Separatus.

PER præsentem Articulum Separatum, qui ejusdem penitus roboris & vigoris erit, ac si Tractatui Commerciorum, hodiè inter Regias suas Majestates *Magnæ Britanniæ* & *Hispaniæ* concluso, de verbo ad verbum insertus esset, eúmque in finem non minus quàm dictus Tractatus ratihabendus erit, Consentit Regia sua Majestas Catholica liberum fore, omni dehinc tempore, Subditis *Britannicis* qui Commerciorum Causâ in Insulis *Canaricis* degent, unum aliquem ex Subditis *Hispanicis* nominare, qui Judicis ibidem Conservatoris Officio fungatur, atque de omnibus Caussis ad Commercia *Britannorum* Spectantibus, in primâ instantiâ cognoscat; promittitque Regia sua Majestas, se ejus-

ANNE, *by the Grace of God, Queen of* Great Britain, France, and Ireland, *Defender of the Faith*, &c. *To all and singular to whom these Presents shall come, Greeting. Whereas the Right Reverend Father in God, Our Right Trusty and Welbeloved Counsellor*, John *Bishop of* Bristol, *Our Ambassador Extraordinary and Plenipotentiary, Dean of* Windsor, *and Register of Our Most Noble Order of the Garter, did on Our Part, together with the Plenipotentiaries of the most Serene Catholick King, Conclude and Sign at* Utrecht *on the* 28/9 *Day of* November,/December, 1713. *a Treaty of Commerce between the Crowns of* Great Britain *and* Spain, *and at the same time a Separate Article was Concluded, made between the said Plenipotentiaries, who were severally furnished with sufficient Authorities, and is as follows:*

Separate Article.

BY the present Separate Article, which shall be altogether of the same Validity and Force, as if it was inserted Word for Word in the Treaty of Commerce this day Concluded, between their Royal Majesties of *Great Britain* and *Spain*, and shall for that end be Ratified, as well as the said Treaty; his Catholick Majesty Consents, That it shall at all times hereafter be Lawful for the *British* Subjects, who shall Live in the *Canary-Islands*, for the sake of their Trade, to Nominate some one Person, being a Subject of *Spain*, who shall Execute the Office of Judge Conservator there, and shall at the first Instance take Cognizance of all Causes relating to the

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modi Judici Conservatori talitèr nominato, Commissiones esse concessuram, unà cum eàdem Authoritate & Privilegiis omnibus, quibus Judices Conservatores in *Andalusiâ* gavisi sunt. Quin & si plures ejusmodi Judices ibidem habere, aut constitutos quovis Triennio mutare cupiant Subditi *Britannici*, id ipsis liberum erit, & concedetur. Consentit quoque Rex Catholicus, quod Appellationes a dicti Judicis Conservatoris Sententiis ad Concilii Bellici *Madriti* Tribunal, nec alibi deferantur.

In quorum Fidem, Nos infrascripti S. *Magnæ Britanniæ* Regina, & S. Regis Catholici Legati Extraordinarii, & Plenipotentiarii, Præsentes Tabulas Manibus Nostris Subscriptas Sigillis Nostris munivimus, *Trajecti ad Rhenum* die $\frac{\text{Novembris}}{\text{Decembris}}$ $\frac{\text{vicesimo octavo}}{\text{nono}}$ Anno Domini Millesimo septingentesimo decimo tertio.

(L.S.) *Joh. Bristol.* (L.S.) *Duc de Ossuna.*
(L.S.) *El Marque de Monteleon.*

NOS visâ, perpensoque hoc Articulo Separato, eundem Approbavimus, ratum, gratum, acceptúmque habuimus, sicut ac per Præsentes Approbamus, ratum, gratum, acceptúmque habemus, Spondentes, & Verbo Regio Promittentes, Nos omnia & singula in eodem Articulo contenta, sanctè & inviolabilitèr Servaturas, neque quicquam fieri Passuras, quod illi contrarium sit. In quorum majus Robur & Testimonium, huic Instrumento Manu Nostrâ Regiâ Signato, Magnum Nostrum Magnæ Britanniæ *Sigillum affigi jussimus. Dabantur in Arce Nostrâ* Vindesoræ, *Septimo Die* Februarii, *Anno Millesimo septingentesimo decimo tertio, Regníque Nostri Duodecimo.*

Anna R.

Commerce of the *British* Subjects, and his Royal Majesty promises, That he will Grant Commissions to such Judge Conservator so Named, together with the same Authority, and all the Privileges which the Judges Conservators have formerly enjoyed in *Andalusia*. And if the *British* Subjects shall desire to have more Judges of that sort there, or to Change those that are Appointed every Three Years, it shall be allowed and granted them. His Catholick Majesty consents likewise, that Appeals from the Sentences of the said Judge Conservator, shall be brought before the Tribunal at the Council of War at *Madrid*, and no where else.

In Witness whereof, We the under written Ambassadors Extraordinary, and Plenipotentiaries of Her Sacred Majesty of *Great Britain*, and of His Sacred Catholick Majesty, have Signed and Sealed these Presents at *Utrecht*, the $\frac{28}{9}$th Day of $\frac{\text{November}}{\text{December}}$ in the Year of our Lord, 1713.

(L.S.) *Joh. Bristol.* (L.S.) *Duc de Ossuna.*
(L.S.) *El Marque de Monteleon.*

WE having seen and considered this Separate Article, have Approved, Ratified, and Confirmed, as We do by these Presents Approve, Ratifie, and Confirm the same, Promising and Engaging Our Royal Word, That We will Faithfully and Inviolably keep all and singular the Things therein contained, and that We will not suffer any thing to be done contrary thereunto. For the greater Testimony and Validity whereof, We have Signed this Instrument with Our Royal Hand, and caused Our Great Seal of Great Britain *to be affixed thereunto. Given at Our Castle of* Windsor *the Seventh Day of* February, $17\frac{13}{14}$. *in the Twelfth Year of Our Reign.*

Anne R.

FINIS.

ANNA R.

ANNA, Dei gratiâ, *Magnæ Britanniæ*, *Franciæ*, & *Hiberniæ* Regina, Fidei Defensor, *&c.* Omnibus & singulis ad quos præsentes Literæ pervenerint, Salutem. Cùm Bello huic tàm diuturno, támque exitioso restinguendo operam dare instituerimus, inter curas publicæ Tranquillitatis redintegrandæ, quas gessimus maximas, eò animum præprimis advertimus, ut arctissima illa Amicitiæ necessitudinisque vincula, quæ à longissimo usque tempore inter Coronas *Britannicam*, & *Hispanicam*, intercessere, summo cum utriusque Nationis Commodo, inter Nos & bonum Fratrem Nostrum *Philippum* Quintum *Hispaniarum* Regem Catholicum, novis & quam firmissimis nexibus in perpetuum constringerentur. Ministris itaque iisdem, qui tamdiu, tantoque cum Successu, Concordiæ operi maximè Salutari inter Principes, Statusque Christianos promovendo conficiendoque *Ultrajecti* ad *Rhenum* sese Nomine nostro addixerint, etiam partes hasce demandare voluimus, ut tam Pacis & Amicitiæ, quam Navigationis & Commerciorum, inter Nos & dictum Regem Catholicum, Leges, Conditionésque concluderent, signaréntque. Sciatis igitur, quod Nos, Fide, Industriâ, & in Rebus magni momenti tractandis, Usu ac Perspicaciâ Reverendi admodum in Christo Patris, perquam fidelis, & dilecti Consiliarii nostri, *Johannis* Episcopi *Bristoliensis*, Privati nostri Sigilli Custodis, Decani *Windesoriensis*, & Nobilissimi Ordinis nostri Periscelidis Registrarii; Et perquam fide-

ANNE R.

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all to whom these Presents shall come, Greeting. When We had determined to endeavour to put an End to this so long and so pernicious a War, amidst the great Cares which We took upon Us in restoring the Publick Tranquility, We turned Our Thoughts in the first place to the Renewal and Strengthening of those most Strict Bands of Friendship and Correspondence between Us and Our Good Brother *Philip* the Fifth Catholick King of *Spain*, which had subsisted from the longest Date of Time between the *British* and *Spanish* Crowns, to the Mutual Benefit of both Nations: Wherefore We were pleased to appoint the same Ministers, who had so long, and with so good Success, applied themselves in Our Name to promote and finish the most wholsom Work of Peace between the Christian Princes and States at *Utrecht*, to Conclude and Sign Terms and Conditions, as well of Peace and Friendship, as of Commerce and Navigation, between Us and the said Catholick King. Know ye therefore, That We reposing very great Confidence in the Fidelity, Industry, and Perspicacity, and Experience, in Treating of Affairs of the greatest Importance, of the Right Reverend Father in God Our Right Trusty and Welbeloved Counsellor *John* Lord Bishop of *Bristol*, Keeper of Our Privy-Seal, Dean of *Windsor*, and Register of Our most No-

lis, & prædilecti Consanguinei & Consiliarii nostri *Thomæ* Comitis de *Strafford*, Vice-comitis *Wentworth* de *Wentworth-Woodhouse* & de *Staineborough*, Baronis de *Raby*, Exercituum nostrorum Locum-Tenentis Generalis, Primarii Admiralitatis nostræ Commissiarii, Nobilissimi Ordinis nostri Periscelidis Equitis, & Legati nostri Extraordinarii ac Plenipotentiarii ad Celsos & Præpotentes Dominos Ordines Generales *Uniti Belgii*, plurimum Confisæ, Eosdem nominavimus, fecimus, & constituimus, quemadmodum per Præsentes nominamus, facimus, & constituimus, Nostros veros, certos, & indubitatos Legatos Extraordinarios, Commissarios, Procuratores, & Plenipotentiarios, Dantes & Concedentes iisdem, conjunctim vel divisim, omnem & omnimodam, Potestatem, Facultatem, Authoritatémq; nec non Mandatum Generale, paritèr ac Speciale (ita tamen ut Generale Speciali non deroget, neque contra) cum Legatis Extraordinariis & Plenipotentiariis, quos prædictus Rex Catholicus, sufficienti Authoritate instructos, ex suâ parte deputaverit, in Civitate *Ultrajectinâ* ad *Rhenum*, aut in alio quocunque loco, Congrediendi, Colloquendíque, ac de Pacis atque Amicitiæ Conditionibus tutis, firmis, & honestis, inter Nos & dictum Regem Catholicum, Tractandi, Conveniendi, & Concludendi; eáque omnia quæ ita Conventa & Conclusa fuerint, pro nobis, & nostro Nomine Signandi, superque conclusis Instrumenta, quotquot & qualia necessaria fuerint, Conficiendi, mutuóque Tradendi, Recipiendíque, ac generalitèr ea omnia præstandi, perficiendíque, quæ quovis modo necessaria ad Pacis atque Amicitiæ Conditiones, ut supra dictum est, ineundas, stabiliendasq; vel quomodo libet, oppor-

ble Order of the Garter; And of Our Right Trusty and Right Welbeloved Cousin and Counsellor *Thomas* Earl of *Strafford*, Viscount *Wentworth* of *Wentworth-Woodhouse*, and of *Staineborough*, Baron of *Raby*, Lieutenant-General of Our Armies, First Commissioner of Our Admiralty, Knight of Our most Noble Order of the Garter, and Our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the *United Provinces*, Have nominated, made, and constituted, as We do by these Presents nominate, make, and constitute them Our true, certain, and undoubted Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, Giving and Granting to them either joyntly or separately, all and all manner of Power, Leave, and Authority, and Our General as well as Special Command (provided that Our General Command shall not derogate from, or be contrary to Our Special Command) to Meet at *Utrecht*, or at any other Place whatsoever, and have Conferences with the Ambassadors Extraordinary and Plenipotentiaries, whom the said Catholick King shall depute on his side, and provide with sufficient Authorities, and of Treating of, Agreeing upon, and Concluding Safe, Firm, and Honourable Conditions of Peace and Friendship between Us and the said Catholick King, and of Signing whatsoever shall be so Agreed for Us, and in Our Name, and of Making, Delivering, and Receiving reciprocally, all the necessary Instruments of the Things concluded, how many or whatsoever they are, and in general, of doing and performing all things which they shall judge to be any ways necessary or convenient towards

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tuna esse judicaverint, tam amplis modo & formâ, ac vi, effectuque pari, ac Nos Ipsæ, si Interessemus, facere ac præstare possemus; Spondentes, & in Verbo Regio promittentes, Nos omnia & singula, quæcunque à dictis nostris Legatis Extraordinariis, Commissariis, Procuratoribus, & Plenipotentiariis, conjunctim vel divisim, vi præsentium Transigi, Concludi, & Signari contigerit, grata, rata, & accepta, iis prorsus modo & formâ quibus conventa fuerint, habituras. In quorum omnium majorem fidem & robur, Præsentibus Manû nostrâ Regiâ signatis, Magnum nostrum *Magnæ Britanniæ* Sigillum apponi jussimus. Dabantur in Palatio nostro Divi *Jacobi* Tertio die Mensis *Maii*, Anno Domini Millesimo Septingentesimo decimo tertio, Regnique nostri Duodecimo.

Making and Establishing Conditions of Peace and Friendship, as aforesaid, in as ample Manner and Form, and with the same Force and Effect, as We could do and perform the same, if We Our Selves were present; Promising and Engaging Our Royal Word, That We will Approve and Ratifie all and every one of the Articles, which by Virtue of these Presents shall be Transacted, Concluded, and Signed by Our said Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, joyntly or separately, in the Form and Manner wherein they are agreed. For the greater Testimony and Validity whereof, having Signed these Presents with Our Royal Hand, We have Commanded Our Great Seal to be affixed thereunto. Given at Our Palace at St. *James's* the Third Day of *May*, 1713. In the Twelfth Year of Our Reign.

DON *Phelipe*, por la Gracia de Dios, Rey de *Castilla*, de *Leon*, de *Aragon*, de las dos *Sicilias*, de *Jerusalem*, de *Navarra*, de *Granada*, de *Toledo*, de *Valencia*, de *Galicia*, de *Mallorca*, de *Sevilla*, de *Zerdeña*, de *Cordova*, de *Corzega*, de *Murcia*, de *Jaën*, de los *Algarves*, de *Algecira*, de *Gibraltar*, de las Islas de *Canaria*, de las *Indias* Orientales, y Occidentales, Islas y Tierra Firme del *Mar Oceano*, Archiduque de *Austria*, Duque de *Borgoña*, de *Bravante*, y *Milan*, Conde de *Abspurg*, de *Flandes*, *Tirol*, y *Barcelona*, Señor de *Bizcaya*, y de *Molina*, &c. Por quanto por lo mucho que hemos desseado, y desseamos el alivio y descanso de nuestros Vasallos en la afliccion y calamidades de una tan sangrienta y dilatada guerra, como la que hasta aqui se ha experimentado para que terminandose los desolables efectos della entren â pocar del reposo, explendor, y prosperidades â que anhelan, y nos deciemos procurarles; Por tanto considerando quanto se asegura este comun bien con la Tratacion, y conclusion de un Tradato de Comercio entre esta Corona, y la de *Inglaterra*, de reciproca combeniencia, y utilidad de los Vasallos dellas: Hemos tenido por combeniente nombrar con toda Autoridad y Plenipotencia para ello à Vos Don *Francisco Maria de Paula*, *Tellez*, *Giron*, *Benavides*, *Carrillo*, y *Toledo*, *Ponce de Leon*, Duque de *Osuna*, Primo, Conde de *Ureña*, Marques de *Peñafiel*, Gentilhombre de nuestra Camara, Camarero, y Copero Mayor, Notario Mayor de nuestros Reynos de *Castilla*, Cavallero de la orden de Calatrava, Clavero Mayor de la misma orden y Cavalleria, y Comendador della, y de la de

DON *Philip*, by the Grace of God, King of *Castille*, *Leon*, *Aragon*, and both *Sicilies*, *Jerusalem*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Majorca*, *Sevilla*, *Sardinia*, *Cordova*, *Corsica*, *Murcia*, *Jaen*, the *Algarves*, *Algezira*, *Gibraltar*, the *Canary Islands*, the *East* and *West-Indies*, the Islands and Continent of the Ocean, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, and *Milan*, Earl of *Apsburg*, *Flanders*, *Tirol*, and *Barcelona*, Lord of *Biscay* and *Molina*, &c. Whereas We have desired, and do desire, That Our Subjects may be set at Ease and Rest, from the Afflictions and Calamities of so Long and Bloody War, as this has proved to be, and that by putting an End to the deplorable Effects thereof, they may come to Enjoy that Repose, Splendor, and Prosperity, which they Earnestly Wish for, and We ought to Procure them; and considering how much this Common Good will be Secured, by Entring upon and Concluding a Treaty of Commerce, between this Crown and that of *England*, which may be of Reciprocal Advantage and Convenience to the Subjects of Both Crowns: We have thought fit to nominate for that purpose you Don *Francisco Maria de Paula*, *Tellez*, *Giron*, *Benavides*, *Carrillo y Toledo*, *Ponce de Leon*, Duke of *Osuna*, our Cousin, Earl of *Ureña*, Marquis of *Peñafiel*, Gentleman of our Bedchamber, and Great Chamberlain, and Cupbearer, Chief Notary of Our Kingdoms of *Castille*, Knight of the Order of Callatrava, Great Treasurer of the said Order and Knighthood, Commendador thereof, and of the Usagre in the Order of St. *James*, and Captain of the First Company of Our

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Usagre en la de san *Tiago*, Capitan de la primera Compañia *Española* de nuestras Reales Guardias de Corps; Y à Vos Don *Isidro Casado de Rosales*, Marques de *Monteleon*, Pariente, de nuestro Consejo de *Indias*; con el Grado de nuestros Embasadores Extraordinarios, Plenipotenciarios, por la entera satisfacion, y confianza con que nos hallamos de vuestras Personas, y concurrir en ambas las apreciables Circunstancias de Prudencia, Intelligencia, Experiencias, Zelo, y Amor à nuestro Real Servicio, que pide Negociado de tal importancia, à fin que con los Ministros Plenipotenciarios nombrados para este efecto por la Reyna de la *Gran Bretaña*, podais tratar, concluir, y efectuar el referido Tratado de Comercio de reciproca Combeniencia, y Utilidad de los Vasallos de las dichas dos Coronas, Prometiendo (como prometemos) por la presente en Fee, y Palabra Real que passaremos, y cumpliremos para siempre Nos, y nuestros Subcessores, todo lo que estipulareis, concluyereis, y efectuareis con los mencionados Ministros Plenipotenciarios de la Reyna de la *Gran Bretaña*, para la Consecucion, y logro del referido Tratado de Comercio, y que lo observaremos exactamente, y haremos que se observe, sin contravenir, ni consentir que se contravenga â ello en manera alguna, directa, ô indirectamente, pues para todo ello, y lo demas que fuere necessario ôs damos, y concedemos todo el poder, Autoridad, y Facultad que se requiere; y que lo aprovaremos y ratificaremos dentro del termino que reciprocamente se combiniere para ello: Declarando tambien que en el caso de ausencia ô enfermedad de alguno de Vos los dichos Duque *de Osuna*, y Marques *de Monteleon*, podrâ el otro de Vos Suceder en

Royal *Spanish* Life Guards: And you Don *Isidro Casado de Rosales*, Marquis *de Monteleon*, our Kinsman, and one of Our Council of the *Indies*; with full Power and Authority, and the Dignity of our Embassadors Extraordinary and Plenipotentiaries, by reason of the Entire Satisfaction and Confidence we have in your Persons, and that Both of you are Endued with those Valuable Qualities of Prudence, Judgment, Experience, Zeal, and Love for Our Royal Service, which are necessary for a Negotiation of this Importance, to the End that you may Treat of, Conclude, and Finish, with the Ministers, Plenipotentiaries, named for that purpose by the Queen of *Great Britain*, the aforesaid Treaty of Commerce, for the Reciprocal Convenience and Advantage of the Subjects of the Two Crowns, Promising, as We do hereby Promise, for Our Selves and Successors, upon Our Faith and Royal Word, that We will perform and keep for ever, all that you shall Stipulate, Conclude and Agree, with the aforementioned Ministers, Plenipotentiaries of the Queen of *Great Britain*, for the attaining and settling the said Treaty of Commerce, and that We will observe it exactly, and cause it to be observed, without Contravening the same, or suffering it to be Contravened in any wise whatsoever, directly or indirectly, for all which, and whatsoever else may be necessary thereto, We give and grant to you all the Power, Authority, and Faculty that is needful; and that We will Approve and Ratifie the same, within the time that shall be reciprocally Agreed: Declaring that in case of Absence or Sickness of either of you, the said Duke of *Osuna*, and Marquis of *Monteleon*, the other of you

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la Tratacion, y Efectuacion de este Negociado de Comercio; prometiendo Nos assi mismo en Feê y Palabra Real, de passar por ello, aprovarlo, y ratificarlo con todas las Solemnidades, y demas requesitos devidos como si hubiese sido ajustado, y concluydo por ambes. En Testimonio de lo qual mandamos despachar, y despachamos la presente firmada de nuestra Mano, Sellada con nuestro Sello Secreto, y refrendada de nuestro infrascripto Secretario de Estado. Dada en *Madrid*, à Veynte de *Octubre*, de Mil setecientos y treze.

Yo el Rey.

Manuel de Vadillo y Velasco.

Certificamos, como el presente Exemplar es Copia que se hâ sacado palabra per palabra del Poder Original, con el qual su Magestad, nos hâ honrrado. *La Haya* â Veynte y tres de *Febrero*, de Mil setecientos y Catorze.

Duque de Osuna.

El Marque de Monteleon.

may proceed in the Effecting and Concluding this Treaty of Commerce; We promising also upon Our Faith and Royal Word, that We will Approve, Confirm and Ratifie the same, with all the Solemnities and Forms that are necessary, and in the same manner as if it had been Adjusted and Concluded by Both of you. In Testimony whereof We have commanded to be Dispatched, and We do dispatch these Presents, Signed with Our Hand, Sealed with Our Privy Seal, and Countersigned by Our underwritten Secretary of State. Given at *Madrid*, the Twentieth Day of *October*, 1713.

I the King.

Manual de Vadillo y Velasco.

We do Certifie, That this present Writing is a Copy taken Word for Word from the Original Power, with which His Majesty has Honoured us. *Hague*, the Twenty third of *February*, 1714.

Duque de Osuna.

Marque de Monteleon.

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